

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
January 9, 2021**

**Present:** Brian Smith, Steve Gendreau, Brad Shattuck, Grant Spates, Karen Chitambar.

**Others:** Faye Morin, Sue Best, Rod Lyon, Bob Kelley, Ed Barber.

**MEETING CALLED TO ORDER - 8:00 A.M.**

**NEW BUSINESS:**

**Annual Budget Meeting** – The Board reviewed the budget with department heads.

**ADJOURNMENT:** The next regular meeting is scheduled for 6:00 p.m. Monday, January 11, 2021. The meeting was adjourned at 11:00 a.m.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
January 11, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Karen Chitambar, Brad Shattuck.

**Others:** Faye Morin, Joe Profera, Bob Kelley, Joseph Gresser (by phone).

**MEETING CALLED TO ORDER - 6:08 P.M.**

Warrants #26C in the amount of \$350,028.18, #1A in the amount of \$17,064.48 and #1B in the amount of \$94,695.42 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of December 14, 2020, with Steve seconding. Unanimous.

**PUBLIC COMMENTS:**

Budget review and NEKLS Appropriation was added to the Agenda.

**NEW BUSINESS:**

**Elijah Capron – Health Officer – Emergency Backup Sewer Derby Line** – There is a problem with the sewer pump at 26 Main St in Derby Line. This is a property that splits the US-Canada border which makes it very difficult to deal with. The tenant refuses to move so there is not much the Town can do. It is not known if the apartments connect to the village sewer system or directly to Canada. The Town needs to check with the village to see if they are billing them for sewer service.

**Information Meeting Date** – The date for the informational meeting for Town meeting was set for 6:00 pm Monday March 1, 2021. The Town will work with the School for a joint meeting if possible.

**Review & Sign Understanding Services of Audit** – Brian moved to sign the document, with Brad seconding. Unanimous.

**Sign 2021 Mileage Rate** – The Town follows the IRS mileage rate. This rate has decreased to \$0.56/mile. The Board reviewed and signed the new rate.

**Review & Sign Newport Ambulance Contract** – Brian moved to sign the Newport Ambulance contract for \$144,562.00, seconded by Steve. Unanimous.

**Review & Sign – Balance Sheet Report, Budget Status Report, Delinquent Tax Report & General Journal Report** – All were reviewed and signed.

**Review & Sign Appropriations – Dailey Memorial Library, Derby Pond Milfoil, Haskell Library, Lake Salem Milfoil, Northeast Kingdom Learning Services, Orleans County Citizens Advocacy, Umbrella, & VNA** – All were reviewed and signed.

**Review & Sign – Liquor Licenses – Derby Corner Mini Mart and Thompson's Redemption & Convenience** – At 6:15 Brian moved to go into a Liquor Board meeting, seconded by Steve. Unanimous. At 6:16 Brian moved to come out of the Liquor Board meeting, seconded by Steve. Unanimous. Steve moved to approve the licenses for Derby Corner Mini Mart and Thompson's Redemption & Convenience, seconded by Karen. Unanimous.

**Budget Review** – The Board reviewed the draft budget. The Sheriff's Dept. was discussed at length. Currently we get 30 hrs/week and to keep the same hours would be \$85,789.97. To increase to 32 hrs/week it would be \$91,719.68. Karen moved to increase the Sheriff's budget to \$91,719.68. There was no second, the motion fails. Steve moved to raise the Sheriff's budget to \$85,789.97, seconded by Karen. Unanimous. Karen moved to approve a budget of \$2,999,970.87 which includes appropriations, seconded by Steve. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending. Next Monday is a holiday so the PC & DRB will not be meeting until Feb 1<sup>st</sup>. **Permits:** There were 126 permits submitted last year and 2 permits submitted year to date for 2021. **Storm Damage – FEMA:** Projects are flowing thru the process. We ended up having to get an Army Corp permit for Ann Wilson Rd. They issued us an after the fact permit. **Grants:** Better Roads Grant – An application has been submitted for Pine Hill Rd. This will bring the road up to standards. N Derby Rd Engineering Grant – Final reimbursement for the engineering has been submitted. LGER Covid Grant – Final reimbursement for Covid related expenses has been submitted. N Derby Rd FLAP Grant - Bids are due January 25. 9 companies have asked for the plans – Kirk Fenoff & Son Excavating, J Hutchins, JP Sicard, Dale Percy, Winterset, Blow & Cote, A L St Onge, Austin Construction, and N A Manosh. The contract with GPI has been signed for the construction inspection.

#### **OLD BUSINESS:**

**Legislative Update** – Brian was appointed to the Transportation Committee. Route 111 is in bad shape and Caswell Ave has a section that is collapsing that the State knows about and is doing nothing about it. The Board would like to send a letter to the State concerning Rte 111 and see if the Newport Ambulance will support it.

**OTHER BUSINESS: None.**

#### **ROAD REPORT:**

Everything is going along good. There is a culvert on Holland Road that needs work and the road crew is hoping to get to it soon.

#### **EXECUTIVE SESSION:**

At 6:55 Brian moved to go into executive session to discuss the possible sale of land on Route 5, with Steve seconding. Unanimous

Out of executive session at 7:05. No action taken.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, January 25, 2021. Brian made a motion to adjourn the meeting at 7:07 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
January 25, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Karen Chitambar, Brad Shattuck.

**Others:** Faye Morin, Joe Profera, Bob Kelley, Elijah Capron, Sue Best, Ed Gaudreau, Joseph Gresser (by phone).

**MEETING CALLED TO ORDER - 6:08 P.M.**

Warrants #2A in the amount of \$20,600.13 and #2B in the amount of \$45,313.87 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of January 11, 2021, with Steve seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Listers – GIS Service Agreement/CAI** – The Listers are requesting an add-on to their contract with CAI for a Staff Site which has a one-time fee of \$950 there is no annual fee. The pros and cons were discussed. Karen moved to approve the Staff Site for a one-time fee of \$950, with Brian seconding. Ayes – Karen, Brad, Steve, Grant. Nays – Brian. The Motion Passes. The Board also reviewed and signed the Annual Agreement with CAI.

**Open & Review North Derby Road Bids** – Grant opened the bids and read the bid amounts.

Austin Construction -	\$382,176.00
Kirk Fenoff & Son -	\$404,025.25
N A Manosh -	\$614,200.00
Blow & Cote -	\$474,882.50
A L St Onge -	\$534,376.50
J Hutchins -	\$489,000.00
CCS Constructors -	\$743,000.00
J P Sicard -	\$413,267.00

Austin Construction is the apparent low bidder. The bids will be sent to Ruggles to review prior to awarding the contract.

**Review & Sign 2021 Town Meeting Warning** – The warning was reviewed and signed.

**Review & Sign – Liquor Licenses – Circle K, Derby Line Village Inn, G & T Bliss Corp, Jolley Associates, NE Pizza Enterprises, Walmart Stores** – At 6:23 Brian moved to go into a Liquor Board meeting, seconded by Karen. Unanimous. Brian noted that G & T Bliss Corp is now T Bliss Corp. At 6:24 Brian moved to come out of the Liquor Board meeting, seconded by Steve. Unanimous. Brian moved to approve the licenses for Circle K, Derby Line Village Inn, G & T Bliss Corp (now T Bliss Corp), Jolley Associates, NE Pizza Enterprises, Walmart Stores, seconded by Brad. Unanimous.

**Review & Sign Excess Weight Permits – Barrett Trucking, Carroll Concrete, Gosselin Water Wells, RG Gosselin** – Steve reviewed and signed all as Road Commissioner.

**Grand Juror & Town Agent – Elected to Appointed Positions for 2022** – The Board is now allowed to appoint these positions rather than having them elected. Since there is rarely anyone interested in these positions the Board thought it was a good idea to have them appointed. Steve moved to make Grand Juror and Town Agent appointed positions beginning in 2022, with Brian seconding. Unanimous.

**New Hire - Recycling** – Karen found a High School student, Shayne Morse, who is interested in the position. He worked last Saturday and Joe Noble was pleased with his work. Karen moved

to hire Shayne Morse as a recycling attendant at the same rate of pay as the other attendants, with Brian seconding. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending for next week. PC will be meeting next week. Casella Waste Management has requested a bylaw amendment to add recycling facility to the COM/IND district. They want to operate a recycling transfer station on the St Onge property. **Permits:** There were 7 permits submitted year to date for 2021. **Storm Damage – FEMA:** Nothing new. **Grants:** N Derby Rd Engineering Grant – This is done and we are waiting for the final reimbursement. LGER Covid Grant – This is done and we are waiting for the final reimbursement. N Derby Rd FLAP Grant – Bids were submitted today. Ruggles will have to look thru them, analyze them, and recommend if we should accept the lowest bid. **VT Route 111:** Attached is a draft letter to send to the State. Is there any changes or additions the Board wants to make. The Board made a few minor changes and signed the letter.

#### **OLD BUSINESS:**

**Legislative Update** – Covid shots for 75 year olds and older have begun.

#### **OTHER BUSINESS:**

**Elijah Capron – Health Officer** – The form the Hospital has for dog bites notifies the Health Officer and should notify the Animal Control Officer. The Hospital will be notified. The ongoing problem with the property in Derby Line straddling the Canadian Border is moving along slowly. The sewer is connected to the Derby Line system, but Canada bills them.

**Howell Consulting & Investigation** – Tom Howell sent a letter outlining the services he can offer to the Town. He is a former Vermont State Law Enforcement Officer.

#### **ROAD REPORT:**

Steve is starting to get bids for a new truck in. Radios need to be updated. There is \$8,000 in both the Highway and Fire Dept budgets. Steve would like to have Craig Ellam at the next meeting to discuss this. Dave Royston is out until Feb. 17<sup>th</sup>.

#### **EXECUTIVE SESSION:**

At 6:52 Brian moved to go into executive session for a contract issue, with Steve seconding. Unanimous

Out of executive session at 7:14. No action taken.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, February 8, 2021. Steve made a motion to adjourn the meeting at 7:15 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
February 8, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Karen Chitambar, Brad Shattuck (by phone).

**Others:** Joe Profera, Bob Kelley, Craig Ellam, Ed Barber, Kal Saffran.

**MEETING CALLED TO ORDER - 6:08 P.M.**

Warrants #3A in the amount of \$18,999.79 and #3B in the amount of \$60,962.85 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of January 25, 2021, with Steve seconding. Unanimous.

**PUBLIC COMMENTS: None**

**NEW BUSINESS:**

**Radios – Craig Ellam** – Craig has been researching digital vs analog radios and talking with Rod and Steve. He thinks the Town would be better off sticking with analog. The Town will need to upgrade the antennas and add repeaters. Larry Kelley is willing to work with the Town to put an antenna on his pole on Hinman Settler Rd and the antenna at the Town Garage needs to be upgraded. Craig will continue to work with Rod and Steve to come up with something that will work for the Town.

**Resolution Adopting – Multijurisdictional All-Hazard Mitigation Plan Update** – Paul Luciano has completed the Plan. He made minor changes after everyone reviewed the last draft. Now the Board and Village Trustees need to formally adopt it. Karen moved to adopt the following resolution, seconded by Brian. Unanimous.

**A Resolution Adopting the Multijurisdictional All-Hazards Mitigation Plan Update**

WHEREAS, the Town of Derby, Village of Derby Line and the Village of Derby Center has worked with its residents and stakeholders to identify its hazards and vulnerabilities, analyze past and potential future losses due to natural and human-caused hazards, and identify strategies for mitigating future losses; and

WHEREAS, the Town of Derby, Village of Derby Line and the Village of Derby Center All-Hazards Mitigation Plan contains recommendations, potential actions and future projects to mitigate damage from disasters in Town of Derby, Village of Derby Line and the Village of Derby Center; and

WHEREAS, the Town of Derby, Village of Derby Line and the Village of Derby Center and the respective officials will pursue implementation of the strategy and follow the maintenance process described in this plan to assure that the plan stays up to date and compliant; and...

WHEREAS, a meeting was held by the Town of Derby, Village of Derby Line and the Village of Derby Center to formally approve and adopt the Multijurisdictional All Hazards Mitigation Plan.

NOW, THEREFORE BE IT RESOLVED that the Town of Derby, Village of Derby Line, and the Village of Derby Center adopts this Multijurisdictional Hazard Mitigation Plan Update.

**Review & Sign – Liquor Licenses – Champlain Farms, Price Chopper & Tong Sheng Restaurant Inc** – At 6:19 Brian moved to go into a Liquor Board meeting, seconded by Karen. Unanimous. At 6:20 Brian moved to come out of the Liquor Board meeting, seconded by Steve. Unanimous. Brian moved to approve the licenses for Champlain Farms, Price Chopper & Tong Sheng Restaurant Inc, seconded by Steve. Unanimous.

**Review & Sign – Balance Sheet Report, Budget Status Report, Delinquent Tax Report & General Journal Posting Report** – All were reviewed and signed.

**Review & Sign Excess Weight Permits – CSE Inc** – Steve reviewed and signed as Road Commissioner.

**TA & ZA Update – DRB/PC:** Next week is Presidents' Day and 2 weeks after that is Town Meeting, so the DRB and PC will not be meeting until March 15<sup>th</sup>. Todd & Hilarie Wright have submitted their application for the Function Hall and Church already on their property, the hearing will be scheduled for March 15<sup>th</sup>. **Permits:** There have been 12 permits submitted year to date. **Storm Damage – FEMA:** We are slowly getting closer to being reimbursed for work already completed. Ruggles is almost finished with the box culvert design for Dumas Road and we should be able to put it out to bid soon. We just need to follow our normal bid process which should be much quicker than the FLAP process. We will need to request an extension from FEMA to complete Dumas Rd. There are a couple of trees that need to be cut this winter so we aren't messing with Bat Habitat. Ruggles will have to come up and mark them for the Road Crew. **Grants:** N Derby Rd Engineering Grant – We have received reimbursement for this project. LGER Covid Grant – Still waiting for the final reimbursement. N Derby Rd FLAP Grant – Austin Construction was the low bidder at \$382,176.00 and they have accepted the award. Next step is to get a bond from them for the project and then we can get a contract signed. **VT Route 111:** Attached is Secretary Flynn's initial response to the letter sent to him. He will be responding in more detail with a letter. I talked to Eric Pope from the local VTrans office and he thinks that they will be able to do some temporary patching this summer while the road is waiting in the queue for a more permanent fix.

**OLD BUSINESS:**

**Legislative Update** – The Transportation bill is nearing completion. Joe Profera thinks the State should become a Sanctuary State for gun ownership. Brian thought that would be a tough one to pass.

**ROAD REPORT:**

Dave is still out; Richard is filling in for him. Steve has 4 or 5 bids for a new truck. They vary from \$115k - \$128k and the body will be \$62k. They are all offering \$65k for the Town's trade-in. Steve wants to review them further to make sure we are comparing apples to apples. He also checked out trade-in values for used trucks and they vary depending on the model, so the Town should take that into consideration and the lowest initial cost may not be the best value in the long run. Quotes for paving should be in for the next meeting.

**OTHER BUSINESS: None.**

**EXECUTIVE SESSION: None.**

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, February 22, 2021. Steve made a motion to adjourn the meeting at 6:46 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
February 22, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck.

**Others:** Joe Profera, Bob Kelley, Faye Morin, Elijah Capron, Vicky Lewis (by phone), Daniel Lewis (by phone), Karen Jenne (by phone).

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #4A in the amount of \$22,544.63 and #4B in the amount of \$44,748.27 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of February 8, 2021, with Steve seconding. Unanimous.

**PUBLIC COMMENTS:**

Vicky Lewis, Daniel Lewis, and Karen Jenne had concerns with towers the Border Patrol installed off Holland Road on the Letourneau property. The US Government doesn't need a permit from the Town for this type of project, but there is a comment period for the public to comment on it. The Lewis' and Ms. Jenne would like to ask Border Patrol to come to a Selectboard meeting to explain what they are doing and to answer questions, they would also like the Town to ask the Border Patrol to extend the comment period. The Town agreed to call the Border Patrol and ask them if they would come to the Board's next meeting on March 8<sup>th</sup> and if they will extend the comment period.

**NEW BUSINESS:**

**Derby Line Apartments** – Town Health Officer Elijah Capron updated the Board on the apartment in Derby Line that straddles the border. The State is trying to contact Canada to see if they will give them jurisdiction over the whole property or if they will work with them to make this property safe for the tenants. It is believed that the water is back on and he is waiting to hear back from the State.

**Review & Sign – Liquor Licenses – Blissrite Pizza Corp – VT Pie & Pasta, Brockton Corp, Derby Village Store, Kinney Drugs** – At 6:30 Brian moved to go into a Liquor Board meeting, seconded by Steve. Unanimous. These are all renewals of existing licenses. At 6:32 Steve moved to come out of the Liquor Board meeting, seconded by Brian. Unanimous. Brad moved to approve the licenses for Blissrite Pizza Corp – VT Pie & Pasta, Brockton Corp, Derby Village Store, Kinney Drugs, seconded by Steve. Unanimous.

**Review & Sign Excess Weight Permits – J P Sicard – New England Quality Services, Structural Wood Products, and Velco** – Steve reviewed and signed as Road Commissioner.

**Review & Sign – Certificate of Highway Mileage** – There are no changes to the highway mileage from last year. Steve moved to approve and sign the Certificate of Highway Mileage, seconded by Brad. Unanimous.

**NEKWMD – Hazardous Waste Day Approval Form** – Household Hazardous Waste Collection Day will again be the first Saturday in June. This year it will be on June 5, 2021 from 9:00 AM – 1:00 PM at the Town Garage. Brian move to approve, seconded by Brad. Unanimous.

**TA & ZA Update – DRB/PC:** Next week is Town Meeting, so the DRB and PC will not be meeting until March 15<sup>th</sup>. The DRB has 3 permits scheduled for March 15<sup>th</sup>. The PC has a public hearing for a bylaw amendment scheduled for March 15<sup>th</sup>. **Permits:** There have been 14 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report. **Grants:** N Derby Rd FLAP Grant – Austin Construction has submitted their bonds and the contract has been signed. A preconstruction meeting will be scheduled later this spring. **VT Route 111:** We



have not received the more detailed letter that Secretary Flynn said he would send. The State is planning of leveling some of the worse spots between Dumas Rd and Gore Rd. **All-Hazard Mitigation Plan:** The plan has been adopted and the State has approved it. The formal approval letter from FEMA is in the government queue and will get here as soon as the bureaucracy allows. I emailed a copy of the final plan to everyone. It is 72 pages long, if anyone wants a paper copy let me know.

**Truck Bids** – Only one bid on the equipment for \$61,915 (plow, wing, body). Three bids were received for the truck; one company did not submit a bid. All three will give the Town \$65,000 for our trade-in. International Truck - \$114,755, Mack Truck - \$124,162, and Western Star Truck - \$129,917. Steve researched trade in values for different model trucks and the Mack has a high trade-in compared to the others. The Town has two Mack Trucks that have been very good. Steve thinks that in the long run the Mack will be the best value. All of them have similar warranties. Steve recommends the Mack. Delivery is estimated for fall. Steve moved to purchase the Mack, seconded by Brian. Unanimous.

#### **OLD BUSINESS:**

**Legislative Update** – No cuts in the Transportation Bill.

#### **ROAD REPORT:**

A lot of little nasty storms. Paving bids should be in for the next meeting.

#### **OTHER BUSINESS:**

The burnt house on Main Street has been sitting a long time without being fixed. Bob told the Board the damaged buildings are supposed to be fixed within 6 months, but because there have been insurance issues he has been holding off on enforcing. The Board requested that he issue a Notice of Violation to get things moving.

**EXECUTIVE SESSION: None.**

#### **ADJOURNMENT:**

The informational meeting for Town Meeting is next Monday, March 1, 2021 at 6:00 p.m. and will be held remotely. The next regular meeting is scheduled for 6:00 p.m. Monday, March 8, 2021. Steve made a motion to adjourn the meeting at 6:52 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

# TOWN OF DERBY

## REMOTE PUBLIC INFORMATIONAL HEARING

### MINUTES

Town of Derby public informational hearing is by electronic means March 1<sup>st</sup>, 2021 at 6:00 P.M. discussing the Australian Ballot Articles on the 2021 Town Meeting Warning.

**To access the meeting:**

By telephone: Dial 1-716-710-7739. When prompted enter the participant code: 699 348 505#.

By computer: Join through the Google Meet App: <https://meet.google.com/yzx-rero-zjw>

**Grant called the meeting to order at 6:00 p.m.**

Grant thanked everyone who is online and by phone. He then introduced everyone from the town participating and turned it over to Nikole Brainard who then introduced everyone from the school participating.

Grant then stated that this is an informational meeting only and that everything mentioned here tonight is already on the ballot tomorrow and can't be changed. Grant then reviewed the following:

**Article 1.** To elect by the Australian Ballot System the following town and town school district officers for **one year**:

- |                              |                                |
|------------------------------|--------------------------------|
| (1) Town Agent               | (1) Town & School Moderator    |
| (1) Delinquent Tax Collector | (1) First Constable            |
| (1) Second Constable         | (1) Town School Board Director |
| (1) Town Grand Juror         |                                |

To elect by the Australian Ballot System the following town and town school district officers for **two years**:

- (1) Select Board Member

To elect by the Australian Ballot System the following town and town school district officers for **three years**:

- |                         |                                 |
|-------------------------|---------------------------------|
| (1) Lister              | (1) Town School Board Director  |
| (1) Select Board Member | (1) Union School Board Director |

To elect by the Australian Ballot System the following town and town school district officers for **five years**:

- (1) Cemetery Commissioner

Nikole started the School portion of the meeting at 6:04 p.m. this was to be used as their Annual School Town Meeting, she then reviewed Articles 2 & 3.

**Article 2.** Shall the voters of the Town of Derby School District approve the School Board to expend **\$6,538,645.00**, which is the amount the school board has determined to be necessary for the ensuing fiscal year? It is estimated that this proposed budget, if approved, will result in education spending of **\$13,718.00** per equalized pupil. This projected spending per equalized pupil is **2% less** than spending for the current year.

**The highlights in the budget**

- Meet VT Education Quality Standards
- Maintain and improve program and services for children
- Maintain Low class size in lower grades
- Maintain and improve facilities
- Budget wisely and keep taxes as low as possible
- Stay debt free

Level funded budget, expenses = revenues, \$133,200 of funds balance turned back into budget as revenue. A 2% Decrease in spending per equalized pupil, the staff level stays the same, portion of taxes goes towards education increases by \$ .0018

**Article 3.** Shall the voters of the Town of Derby School District authorize the Board of School Directors to place the 2019-20 fund balance into two reserved funds to be used over several years: **\$170,086.99** into Building and Grounds fund, **\$160,000.00** Technology fund?

**The \$170,086.99 funds will go into maintenance projects:**

New kitchen floor, a steam table, Ice machine, re-striping the parking lot, bus maintenance, carpets for upstairs classrooms and halls, save for a multi-purpose activity room.

**The \$160,000.00 funds will go into purchases of:**

Replacing Ipads, replacing Chrome books, New Digital Software, Updating teachers computers, update the MarkerSpace, Sound Technology in Classrooms.

Gigi Gobeil-Judd made a motion to adjourn the School portion of the meeting Emily Micknak seconded.

- Article 4.** Shall the voters of the Town of Derby vote to authorize the Select Board to purchase other land or real estate not to exceed a total purchase price of **\$20,000.00**?  
This is the same amount as 2020.
- Article 5** Shall the voters of the Town of Derby authorize payment of property taxes to the Town Treasurer on or before **Monday, October 18<sup>th</sup>, 2021 at 5:00 P.M.?**  
The taxes are usually on the 15<sup>th</sup> but that is a day the office is closed so it reverts to the following Monday.
- Article 6.** Shall the voters of the Town of Derby vote the sum of **\$200,000.00** for the rebuilding of roads in the Town of Derby, said monies to be raised by taxes?  
This is the same amount as 2020.
- Article 7.** Shall the Town of Derby vote to appropriate the sum of **\$3,300.00** to assist the **Northeast Kingdom Council on Aging** in providing services to older Vermonters in the ensuing year?  
This is the same amount as 2020.
- Article 8.** Shall the voters of the Town of Derby appropriate **\$12,000.00** to **Haskell Free Library & Opera House** to provide services to the residents of the Town?  
This is the same amount as 2020.
- Article 9.** Shall the voters of the Town of Derby appropriate **\$40,000.00** to **Dailey Memorial Library** to provide services to residents of the Town?  
This is the same amount as 2020.
- Article 10.** Shall the voters of the Town of Derby appropriate **\$2,000.00** to **Orleans County Citizen Advocacy** for the purpose of creating and supporting relationships between community volunteers and individuals with developmental disabilities?  
This is the same amount as 2020.
- Article 11.** Shall the voters of the Town of Derby vote to appropriate a sum not to exceed **\$15,000.00** to **Town of Derby/ Salem Lakes Preservation Association**, matching the Grant Funds from the Vermont Department of Environmental Conservation, to continue monitoring and protecting the Lakes from Eurasian Water Milfoil and other Invasive Species?  
This is the same amount as 2020.
- Article 12.** Shall the voters of the Town of Derby appropriate **\$10,000.00** for the removal of **Eurasian Milfoil** from **Lake Derby (Derby Pond)**?  
This is the same amount as 2020.
- Article 13.** Shall the voters of the Town of Derby appropriate **\$13,600.00** to **Orleans Essex VNA & Hospice Inc.** for the services of Skilled Nursing, Physical Therapy, Speech Therapy, Occupational Therapy, Medical Social Work, Licensed Nurse Aide, Homemaker, Personal Care Attendant, Hospice, Maternal Child Health Programs, and other community health programs provided by the Agency?  
This is the same amount as 2020.
- Article 14.** Shall the Town of Derby appropriate **\$9,242.00** to **Northeast Kingdom Human Services, Inc.** a not for profit 501(c)(3), to provide services to residents who cannot otherwise afford care?  
This is the same amount as 2020. Carol Boucher was available for questions. Brian Smith asked if they opened for service with Covid Carol stated that they were open and ready to serve.
- Article 15.** Shall the voters of the Town of Derby appropriate **\$6,150.00** to **Umbrella** to support services for victims of domestic assault, sexual violence, providing fresh, local food to area seniors and disabled adults through Meals on Wheels deliveries?  
This article was two separate articles last year articles 22 and 23 this one takes over the two articles and equals the same amount of funds.
- Article 16.** Shall the voters of the Town of Derby appropriate **\$46,871.16** for the care and up keep of the **Cemeteries** in the Town of Derby, of which **\$12,988.18** shall come from cemetery revenues and **\$33,882.98** shall be raised by taxes?  
This article is less than 2020 year.

- Article 17.

Shall the Town of Derby appropriate **\$1,600.00** to **Orleans County Historical Society** to assist in maintaining the Old Stone House Museum and its educational programs, and direct the selectmen to assess a tax sufficient to meet the same?  
This is the same amount as 2020.
- Article 18.

Shall the Town of Derby appropriate **\$2,500.00** to **Rural Community Transportation, Inc.** to provide services to residents of the Town of Derby?  
This article was not in for 2020 but was in 2019. Lila Bennett was available for questions and to thank the town for their funds and support.
- Article 19.

Shall the Town of Derby appropriate **\$2,000.00** to **Pope Memorial Frontier Animal Shelter** with its commitment to rescuing, providing care to and finding homes for unwanted pets?  
This is the same amount as 2019 but was not in for 2020.
- Article 20.

Shall the Town of Derby appropriate **\$1,500.00** to **Northeast Kingdom Learning Services, Inc. (NEKLS)** to provide services to residents of the Town?  
This is the same amount as 2019 but was not in for 2020.
- Article 21.

Shall the voters of the Town of Derby provide notice of annual town report availability to residents by publishing notice in the newspaper and on the town website at least 10 days before the annual meeting along with designated pick up locations for said report in lieu of mailing?  
By choosing not to mail the Town Report to every voter in the Town the Town saves \$7,176.40.
- Article 22.

Shall the voters of the Town of Derby authorize the Select Board to expend **\$2,647,195.89** which is the amount the Select Board deems necessary for the ensuing years’ budget; which does NOT include the above articles appropriations?  
With the appropriations the budget is \$2,999,970.87 the total appropriations amount is \$352,774.98.  
Grant stated that the proposed 2021 budget is \$143,669.65 lower than last year. The proposed amount to be raised by taxes is \$125,706.13 lower than last year. This will equate to an approximate 2 cent decrease in the Town portion of the tax rate. Questions on the Town budget:  
Karen Jenne asked what amount of the Law Enforcement’s budget came from services at Walmart. The increase is the hourly rates of the officers. The board decided to keep the same amount of hours of service. The percent of service is less this year at Walmart due to the Covid pandemic Jen Harlow met with the security personnel at Walmart and they are trying to put together to get assistance from the headquarters of Walmart. No further questions.

Karen Chitambar moved to adjourn the hearing at 6:30 p.m. Brian Smith seconded all in favor.

Dated at Derby, Vermont on March 4, 2021.

NIKOLE BRAINARD (Chair)  
GIGI GOBEIL-JUDD  
EMILY MICKNAK  
ALISON PATENAUDE  
LYNDSAY SYKES  
(School Directors)

KAREN CHITAMBAR  
STEPHEN GENDREAU  
BRAD SHATTUCK  
BRIAN SMITH  
GRANT SPATES (CHAIR)  
(Select Board)

Attest: FAYE C. MORIN  
Town Clerk

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
March 8, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Joe Profera, Bob Kelley, Faye Morin, Vicky Lewis, Daniel Lewis, Sue Best, Paul Prue, Erik Lavallee, Richard Ross, Matt Palma, Maryann Tetreault, Mark Linton, Ed Barber, remotely: Karen Jenne, Nancy Gosselin, Bryan Davis, Josh, Jenna Hamelin, Sean Tathan, Ann Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #5A in the amount of \$21,081.15 and #5B in the amount of \$41,133.56 were signed.

**APPROVE MINUTES:**

Karen moved to approve the minutes of February 22, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Board Reorganization** – Karen moved to elect Grant as Chair, seconded by Brian. Unanimous.

Karen moved to elect Brad as Vice-Chair, seconded by Brian. Unanimous.

Brian moved to make the following appointments, seconded by Karen. Unanimous.

1 year appointments:

Town Administrator – Bob Kelley

Road Commissioner – Steve Gendreau

NVDA Representatives – Grant Spates & Karen Chitambar

Pound Keeper – Renee Falconer

Tree Warden – Joe Profera

Fire Warden – Craig Ellam

Energy Coordinator – Karen Chitambar

E-911 Coordinator – Steve Cross

Agent to sign deed accepting or transferring property on behalf of Town – Grant Spates & Brad Shattuck

Civil Defense – Craig Ellam & Steve Gendreau

Water/Sewer Committee – Grant Spates & Brian Smith

Newspaper of Record – Newport Daily Express

4 year appointments:

Development Review Board – Bob DeRoehn & Dave LaBelle

The following positions are optional for the Board to appoint and they chose not to: Fence Viewers, Inspector of Lumber, Shingle & Wood, Weigher of Coal, and Town Service Officer.

**Border Patrol – Town Update – Erik Lavallee** – Agents Lavallee & Ross were present to explain the Border Patrol Camera project and answer any questions. Vicky Lewis, Dan Lewis, Bryan Davis, Jenna Hamelin, Karen Jenne, Bob Kelley & the Board asked questions about the project. Among the concerns were location, emissions, proximity to residences, and privacy. The current tower is temporary and the final tower is to be 120 ft tall. Emissions are within federal safety guidelines. The camera is used to help identify people illegally crossing the border, the intent is not to spy on residents. The tower will not be replacing existing agents. Sector Public Information Officer Josh Cozzens is a good person to contact about this project, his email is [Jushua.R.Cozzens@cbp.dhs.gov](mailto:Jushua.R.Cozzens@cbp.dhs.gov).

**NEKWMD – List of Town Officials** – The Board reviewed and approved the list for NEKWMD.

**Purchased Land Lot - Discussion** – The Board discussed the land. The Town may need additional land for future garage expansion which would need to be figured into whatever is

done with the lot. The Board also wants to contact the property owners along Main St to see if any are interested in purchasing a strip of land to add to their lots for an additional buffer if the land becomes a park. It was suggested to form a Recreation Committee to look at the different recreational opportunities within the Town with one of the opportunities being the use of this land. Karen agreed to set up a Recreation Committee, she would like to set up an initial meeting March 20<sup>th</sup>, invite the public, explain the job description, etc... She would like to keep the committee membership to 6 or fewer. Karen moved to establish a Recreation Committee of 6 members with the Board granting her authority to appoint the members, seconded by Brad. Unanimous.

**Listers Status** – Tom Roberts has submitted a letter of resignation as Lister. Brian moved to accept the resignation with regrets, seconded by Karen. Unanimous.

The Board would like to advertise for the vacancy with letter/resume due before their next meeting on March 22<sup>nd</sup>. Mark Linton handed out a letter with his qualifications for the position.

**Eagle Point – Ice Fishing Parking Lot & Possible Boat Ramp** – The State is considering adding an ice fishing parking lot and possibly a boat ramp. ANR may have funding for the parking. The Federal Lands Access Program may be a possible funding source for the boat ramp.

**Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report & General Journal Posting Report** – All were reviewed and signed.

**Review & Sign Excess Weight Permits – Blanchard Oil, Demag Riggers & Crane Service, Desrochers Excavating, Feed Commodities Inc, JBL Hauling & Excavating, NA Manosh Inc, Newton/Dubois Construction Inc, and Oil Supply Co.** – Steve reviewed and signed as Road Commissioner.

**Review & Sign – Liquor Licenses – Derby Cow Palace, D G Retail LLC & Newport Elks Lodge #2155** – At 7:15 Brian moved to go into a Liquor Board meeting, seconded by Steve. Unanimous.

These are all renewals of existing licenses. At 7:17 Brian moved to come out of the Liquor Board meeting, seconded by Steve. Unanimous.

Steve moved to approve the licenses for Derby Cow Palace, D G Retail LLC & Newport Elks Lodge #2155, seconded by Brad. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has 4 permits scheduled for March 15<sup>th</sup>. The PC has a public hearing for a bylaw amendment scheduled for March 15<sup>th</sup> and will continue review of the bylaws. **Permits:** There have been 17 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report. **Grants:** N Derby Rd FLAP Grant – Austin Construction has submitted their slab design for approval. **All-Hazard Mitigation Plan:** Final approval from FEMA has been granted. We are good for another 5 years. **DUMP (Don't Undermine Memphremagog's Purity):** Effie Brown has asked that she and Gillian Staniforth be on the Board's next agenda. Attached is the information they have sent for your review. It is nothing that you have to deal with tonight. **Retail Cannabis:** To have retail sales of Cannabis in Derby the Town needs to vote by Australian ballot to allow it. Darrick Granai has emailed me about this and I have attached the email thread for your info. Again this is nothing you have to deal with tonight. **Chad Worcester, 190 Main St:** The Notice of Violation has been sent. The property has a For Sale sign on it and Kurt Nygren who has been working with Mr. Worcester on the insurance claim says that he has settled with the insurance company.

## **OLD BUSINESS:**

**Legislative Update** – The legislature was off last week and will be starting up again this week.

## **ROAD REPORT:**

The excavator is broken down and is currently parked in Paul Prue's driveway. Everything else is good and all the banks are pushed back.

**OTHER BUSINESS: None**

**EXECUTIVE SESSION: None.**

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, March 22, 2021. Brian made a motion to adjourn the meeting at 7:28 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
March 22, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Joe Profera, Bob Kelley, Faye Morin, Sue Best, Paul Prue, Renee Falconer, Steven Davis, Mary Paradis, Bob Paradis, Anthony Moccia, Cija Moccia, Nate Hamblett, Tracy Hamblett, Brian Pepin, Gillian Staniforth, Effie Brown, remotely: Peggy Stevens, Robin Smith, Allison Howell, Ed Barber, Joseph Gresser.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #6A in the amount of \$25,548.39 and #6B in the amount of \$38,932.96 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of March 8, 2021, with Steve seconding. Unanimous.

**PUBLIC COMMENTS:**

Allison Howell explained to the Board that she is organizing a cigarette butt clean up day for the end of May. She is working with Northeast Kingdom Waste Management District. She will organize a group, explain what to do and send them out. The Board offered the use of the Municipal building as a gathering place if she needs it.

**NEW BUSINESS:**

**Anthony Moccia – Dog Issue** – Anthony Moccia, Cija Moccia, Mary Paradis, Bob Paradis, Nate Hamblett, Tracy Hamblett and Brian Pepin were before the Board concerning Steve Davis's Doberman, Ruby. They are concerned about the viciousness of the dog and want the Board to do something about it. They are concerned for the safety of children, adults and other dogs. They gave multiple examples of when they were concerned for their safety. Some of their concerns included that the dog barks viciously, has jumped on a walkers back ripping their jacket, chased other dogs, and killed a cat. They consider the dog to be vicious and believe that it is only a matter of time before the something bad happens. One resident now carries a gun with him when he walks. They believe that Mr. Davis' girlfriend cannot control the dog. Mr. Davis defended his dog. The Board asked Animal Control Officer Renee Falconer what their options were. The Board decided that Mr. Davis needs to install a 5 ft high wire fence and whenever the dog is outside it must be either within the enclosed fence or muzzled and leashed with a maximum 6 ft long leash.

**DUMP, LLC** – Gillian Staniforth, Effie Brown & Peggy Stevens explained a petition they have started asking the Secretary of the Vermont Agency of Natural Resources (ANR) to designate Lake Memphremagog a "Lake in Crisis". One of the more alarming issues is that the state has found cancerous lesions in 25% - 40% of Brown Bullhead fish in Lake Memphremagog's South Bay and Hospital Cove and made a direct link between fish with these cancerous lesions and environmentally contaminated water. DUMP, LLC would like the Board to send a letter supporting the petition to the Secretary of ANR. Karen moved to have the Board write a letter support for the DUMP, LLC petition, seconded by Brad. Unanimous. Grant was authorized to sign the letter on behalf of the Board.

**Listers Status** – The Board received a letter of resignation from Lister Steve Cross effective March 12<sup>th</sup>. Brad moved to accept the letter of resignation, seconded by Karen. Unanimous with Brian abstaining.

Seven people have submitted letters wanting to be appointed as a lister. One was not from Derby and would not be considered as you need to be a Derby Resident to be a lister. The Board will review the other six submissions in executive session at the end of the meeting.

**State Covid Funding Discussion – NVDA** – NVDA has informed us that we are getting \$419,949 through the \$1.9B federal stimulus bill. It was not known what restrictions would be on the money.



**Community Project Funding - Welch** – The Town received an email from Representative Welch’s office last week that the U.S. House Appropriations Committee has given each Member of Congress authority to nominate up to ten community projects for possible inclusion in the fiscal year 2022 appropriations bills. The Town may suggest a project to Congressman Welch and the deadline is March 31<sup>st</sup>. The Board discussed asking for funding to rebuild the tennis courts, it could include additional parking and lighting. There is not a known limit on funding so Karen suggested that we load the project up with other things we may want to do with the 16 acres behind the tennis courts, such as walking path, gazebo, playground, etc... Bob and Karen will work on getting something together for Board review and approval.

**Review & Sign – Orleans County Sherriff Dept Contract** – The Board reviewed and signed.

**Review & Sign – Meeting of Selectpersons** – The Board reviewed and signed.

**Review & Sign Excess Weight Permits – Amerigas, Austin Construction Inc, Bourne’s Energy, Dale E Percy Inc, Matthew Excavating, Vaillancout Transport LLC** – Steve reviewed and signed as Road Commissioner.

**Review & Sign – Pay Raises** – The Board reviewed and signed.

**Recreation Committee Update** – The Rec Committee had a meeting on Saturday and discussed what the committee will be doing, but did not assign any members. Another meeting is scheduled for April 10<sup>th</sup>. A draft survey is attached for you to review. Karen asked if the Committee could be increased to 8 members in addition to the Board. The Board approved the increase.

**TA & ZA Update – DRB/PC:** The DRB has 3 permits scheduled for next week. The PC is continuing review of the bylaw. **Permits:** There have been 31 permits submitted year to date. **Storm Damage – FEMA:** Ruggles will be working to get the Dumas Rd Culvert ready to go out to bid this week. **Grants:** N Derby Rd FLAP Grant – Austin Construction has submitted their slab design for approval. They may miss a time slot for getting the slabs built which could delay the start date. **Chad Worcester, 190 Main St:** The Notice of Violation has been sent. Kurt Nygren is acting on Chad Worcester’s behalf. I talked to him today and he will be getting in touch with Mr. Worcester later this week. **Wednesdays on the Waterfront:** These concerts have been cancelled again this year due to uncertainty about covid restrictions.

## **OLD BUSINESS:**

**Legislative Update** – The transportation bill will be up tomorrow.

## **ROAD REPORT:**

Steve reported that two paving bids are in and he is waiting for the third one before opening them.

## **OTHER BUSINESS: None**

## **EXECUTIVE SESSION:**

At 7:38 Brian moved to go into executive session for personnel, seconded by Karen. Unanimous.

At 8:08 the Board came out of executive session. They will interview candidates for lister starting at 4:45 PM before their next meeting on April 5<sup>th</sup>.

## **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 PM Monday, April 5, 2021 and the Board will interview candidates for the open listers positions starting at 4:45 PM prior to the start of their regular meeting. Steve made a motion to adjourn the meeting at 8:11 PM, with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
April 5, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Joe Profera, Bob Kelley, Faye Morin, Paul Prue, remotely: Nancy Gosselin, Darrick Granai, Ed Barber, Joseph Gresser.

**MEETING CALLED TO ORDER – 4:45 P.M.**

Warrants #7A in the amount of \$18,892.61 and #7B in the amount of \$27,034.88 were signed.

**EXECUTIVE SESSION:**

Brian moved to go into executive session to interview and discuss candidates for the two open Lister positions, seconded by Brad. Unanimous. Out of executive session at 6:00.

**APPROVE MINUTES:**

Brian moved to approve the minutes of March 22, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Lister Appointments** – Appointments are for one year until the next election on Town Meeting 2022. Brad moved to appoint Carmi (Mike) Marsh and Anna Kisseleva as listers, seconded by Brian. Unanimous.

**Retail Cannabis Sales Option** – The Town must vote by Australian ballot to allow for the retail sales of cannabis within the town. The Board reviewed the governing regulation. Darrick Granai is in favor of putting it to the voters. The item can be placed on the ballot either by petition or by vote of the Selectboard. Brian moved to put it on the ballot for next Town Meeting, seconded by Karen. Unanimous.

**Roof Bids** – ACT Roofing bid \$22,000 for the Town Office and \$34,000 for the Fire Station, Q&B Builders bid \$28,020 for the Town Office and \$40,600 for the Fire Station. Brian moved to accept the ACT Roofing bids of \$22,000 and \$34,000 provided the materials are as listed in the Invitation to Bid, seconded by Steve. Unanimous.

**NCUJHS – Plant Tree Honoring Beula** – NCUJHS would like to honor Beula Shattuck by planting a tree in the Green in front of the school with a plaque. This will be on Town land and they will get approval of the location prior to planting. Brad moved to grant the request to plant a tree honoring Beula Shattuck, seconded by Steve. Unanimous.

**Review & Sign – Certification of Compliance for Town Road and Bridge Standards and Network Inventory** – This is the same standards and inventory as was adopted in 2019. Steve moved to sign, seconded by Brian. Unanimous

**Review & Sign – Listers Extension Letter** – This is done every year to have extra time to file the Grand List. Steve moved to sign, seconded by Brian. Unanimous.

**Review & Sign – Traffic Ordinance** – This is the Ordinance that the Board approved on 11/16/2020 and went into effect on 1/15/2021. Steve moved to sign, seconded by Brad. Unanimous.

**Review & Sign Excess Weight Permits** – Calkins Sand & Gravel, Camp Precast Concrete Products, Cheeseman LLC, Fred's Energy, Harrison Concrete Construction, Irving Oil, Ivan Maxwell Trucking, Pike Industries Inc, Sticks & Stuff, Tetreault's Maple Farm LLC – Steve reviewed and signed as Road Commissioner.

**Review and Sign Liquor Licenses – Border Lounge LLC and Charbo Campground** – At 6:24 Brian moved to go into a Liquor Control Board meeting, seconded by Brad. Unanimous. At 6:25 Brian moved to come out of the Liquor Control Board meeting, seconded by Brad. Unanimous.

Brian moved to approve the licenses for Border Lounge LLC and Charbo Campground, seconded by Brad. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has 7 permits scheduled for next week. The PC is not meeting next week due to the number of permits the DRB has. Barbara Sheltra has resigned from the Planning Commission. The vacancy will be advertised with letters of interest due before the Board's meeting on May 3<sup>rd</sup>. **Permits:** There have been 38 permits submitted year to date. **Storm Damage – FEMA:** Ruggles will be working to get the Dumas Rd Culvert ready to go out to bid this week. Because our Purchasing Policy requires advertising in a newspaper of general circulation in the region, Tim Ruggles thinks we should require a performance bond. The Town may want to consider revising the policy to state: Notice of the request for bids shall be 1) made by letters to a minimum of X providers (I would suggest 3) for equipment purchases and Y providers (I would recommend 5 or 6) for all other purchases soliciting bid responses or 2) advertisements posted in three public locations within the Town and advertisements placed in a newspaper of general circulation in the region. This would allow the Town to solicit bids from companies the Town trusts to get the job done and not have to require a performance bond which adds to the cost of the project. It would also make the way we purchase vehicles in compliance with the Town Purchasing Policy. The Board will look into amending the Purchasing Policy. **Grants:** N Derby Rd FLAP Grant – The concrete mix design and precast slabs have been approved by the State. The pre-construction meeting is Wednesday at 10:00. Welch appropriations bill – The project submitted is to relocate the courts, add lighting, expand the parking, add a walking path and associated landscaping etc... **Parks & Recreation Committee:** The Committee has another meeting scheduled for this Saturday. Karen is planning on appointing members and the Committee will review the survey results and conduct a site visit of the Poulin land. **Dog Issue:** The dog issued discussed at the last Selectboard meeting was not a Vicious Dog Hearing and therefore the requirements directed by the Board do not have the same force as they would if part of a Vicious Dog Hearing. A Vicious Dog Hearing will be warned for their next meeting. **Local Emergency Management Plan:** The plan has to be updated and approved annually. Bob will have a draft for the Board's next meeting.

#### **OLD BUSINESS:**

**Legislative Update** – Brian met with Congressman Peter Welch and representatives from both Senator Leahy's and Senator Sanders' offices today to discuss the Border Patrol cameras. The main concern was privacy.

**Covid Funds** – The \$419,000 funds to the Town needs to be looked into to see what it can be used for. Bob will check with NVDA. Steve would like to use some for paving if possible.

#### **ROAD REPORT:**

The Town received 2 paving bids: Pike Industries at \$60.60/ton and J Hutchins at \$64.00/ton. Steve moved to accept the Pike Industries bid of \$60.60/ton, seconded by Brian. Unanimous. With a little luck plowing is done for the season.

#### **OTHER BUSINESS:**

**E-911 Coordinator** – Since Steve Cross has resigned the Board needs to appoint a new coordinator. Karen moved to appoint Nancy Moore as E-911 Coordinator, seconded by Brad. Unanimous.

#### **EXECUTIVE SESSION: None**

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 PM Monday, April 19, 2021. Brian made a motion to adjourn the meeting at 6:58 PM, with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**April 19, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Joe Profera, Bob Kelley, remotely: Joe Gresser, Ed Barber.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #8A in the amount of \$16,993.57 and #8B in the amount of \$87,346.19 were signed.

**APPROVE MINUTES:**

Karen moved to approve the minutes of April 5, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS:**

Joe Profera commented on the number of people vaccinated or immune from Covid and didn't see the need to continue wearing masks. It was pointed out that Vermont still has a mask mandate.

**NEW BUSINESS:**

**VT Moto Cross Association Permit** – The Board reviewed the permit. This is an annual permit for the Moto Cross on Rider Hill. It was noted that a condition of the permit is a copy of the Motor Vehicle Racing Commission Permit, a Certificate of Insurance and a race schedule shall be filed with the Town Clerk prior to the commencement of racing. Brian move to approve the permit, with Steve seconding. Unanimous.

**Covid 19 Relief Funds** – It is still unclear exactly what the funds can be used for. The Feds will have more information out in May. In the Town's dedicated Highway fund there is approximately \$174k. Steve would like to see Holland Road and Quarry Road paved which will cost \$150k. Another thing on Steve's wish list is the antenna for the Garage which is about \$60k. \$16K is budgeted for it this year. The Board discussed various projects the Covid Relief Funds might be used for including: the salt shed, paving, hydrants, Beebe waterlines, Fish & Game's Kid Pond needs repairs to the dam (\$75k), MSTF trail expansion, and the Villages may have projects.

**Bids: Sand & Gravel, Equipment** – Steve opened the bids. Justin Brian Sanville, Tetreault's Maple Farm, Jason Patenaude Excavating, Ducharme Excavating, and RG Gosselin submitted Equipment bids. RG Gosselin and I.R.D. Sand & Gravel submitted Sand & Gravel bids. Bob will put them into a spreadsheet for the Board.

**MSTF – Memphremagog Ski Touring Foundation** – MSTF was not able to make tonight's meeting.

**Review & Sign Excess Weight Permits – Precision Land Care, Engineers Construction Inc, Casella construction, and Blevins Inc** – Steve reviewed and signed as Road Commissioner.

**Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report & General Journal Posting Report** – All were reviewed and signed.

**Local Emergency Management Plan** – The Board reviewed the plan. There were only a few minor changes from last year's plan. Brian moved to approve the Local Emergency Management Plan, with Steve seconding. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has 2 permits scheduled for next week. The PC has a public hearing for a bylaw amendment and will continue to review the Flood Hazard Regulations.

**Permits:** There have been 48 permits submitted year to date.

**Storm Damage – FEMA:** The Dumas Road culvert went out to bid and bids are due by May 3<sup>rd</sup>.  
**Grants:** North Derby Rd FLAP Grant – The slabs are in production with an estimated deliver date of July 6<sup>th</sup>. The Austin Construction is hoping to start before July 1<sup>st</sup>. Our stream alteration permit says no in-stream work is allowed until July 1<sup>st</sup>, but Austin Construction has in been contact with the State and may be able to start earlier. Paving – The State will give us \$117,757.92 for paving this year. That is the State’s 80% for both Darling Hill Rd and Elm St. This gives the Town a total of \$417,757.92 for paving. \$200,000 appropriation, \$100,000 budget, and \$117,757.92 State grant. The quote from Pike was \$357,540 so that leaves another \$60,000 that can be used to do another road this year.

**Dog Issue:** Mr. Davis’ attorney, Nicholas Low, has filed a suit with Superior Court concerning the Board’s order asking the Court to vacate the conditions imposed on Mr. Davis and his dog Ruby. This may be something the Board may want to discuss in executive session. The Board decided to discuss this in open session. The Board acknowledged that the meeting on March 22, 2021 was not a Vicious Dog Hearing and that the orders issued for control of vicious dogs should only be made after a Vicious Dog Hearing. The voluntary measures listed in Attorney Low’s letter outlining the voluntary measures that Mr. Davis plans to take do not include the dog being muzzled when off the property or the limit of a maximum 6 ft long leash. If a complaint is filed in writing, then the Board will hold an official Vicious Dog Hearing. Brian moved to vacate the order issued on March 22, 2021 against Stephen Davis and his dog Ruby, seconded by Brad. Unanimous.

#### **OLD BUSINESS:**

**Legislative Update** – Four weeks are left in the season. High speed internet, a bottle ban, and a ban on trapping are being discussed.

#### **ROAD REPORT:**

After looking over the new truck quote Steve would like to add a powder coating and upgraded chain for \$2,991 extra. The Board approved the change. There have not been many mud spots this spring.

#### **OTHER BUSINESS:**

**Northeast Kingdom Community Broadband** – The Town received an email about who our representatives are. This is a Communications Union District and the Town is not currently a member. It was thought that with the big push to expand high speed internet that it would be a good idea to become a member. Karen moved to join Northeast Kingdom Community Broadband and appoint Karen Chitambar as representative and Grant Spates and Bob Kelley as alternates, seconded by Brad. Unanimous.

**Thank you letter** – The Village Trustees sent a letter thanking the Town for the use of the Municipal Building for their Annual Village Meeting.

#### **EXECUTIVE SESSION: None.**

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, May 3, 2021. Brian made a motion to adjourn the meeting at 7:15 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
May 3, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Joe Profera, Bob Primeau, Dawn Call, Bob Kelley, remotely: Joe Guay, Ed Barber.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #9A in the amount of \$18,096.92 and #9B in the amount of \$11,733.10 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of April 19, 2021, with Karen seconding. Unanimous.

**PUBLIC HEARING:**

Brian moved to recess the meeting to go into a Public Hearing for public input on a proposed bylaw amendment, seconded by Karen. Unanimous.

The proposed bylaw amendment is to add Recycling Transfer Station as a Conditional Use in the Commercial/Industrial (COM/IND) zoning district. Joe Guay from Casella spoke in favor of the proposed amendment. Casella would like to operate a recycling transfer station on Citizens Road. Truck traffic would be similar to what is there now. There were no other comments from the public. Brian moved to close the hearing and return to their regular meeting, seconded by Brad. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Consider Bylaw Amendment** – Brian move to approve the proposed bylaw amendment to add Recycling Transfer Station as a Conditional Use in the Commercial/Industrial (COM/IND) zoning district, seconded by Brad. Unanimous.

**Appoint Planning Commission Position** – No one has expressed an interest in the position. The Town will advertise the opening again.

**MT – Memphremagog Trails (formerly Memphremagog Ski Touring Foundation)** – Bob Primeau shared ideas MT has for connection bike trails to Derby Center. The biggest problem is that the Interstate divides the Town and the only way to cross is to go under it at the Clyde River crossing. His ideas were very preliminary, but with additional funding from the Recovery Act, now might be a good time to start planning.

**Bids for Dumas Road Structure Replacement** – The Town received 4 bids and Steve opened them and read the quotes: J B Sicard - \$227,847, R G Gosselin - \$198,860, Austin Construction - \$191,234, and Fenoff and Son Excavating - \$173,820. Brian moved to award the project to Fenoff and Son Excavating with a price of \$173,820, seconded by Steve. Unanimous.

**Review & Sign Excess Weight Permits – Andrew J Lawrence, Kelley View Farms** – Steve reviewed and signed as Road Commissioner.

**Review & Sign – NEK Community Broadband** – This was approved last week, Grant signed on behalf of the Board.

**TA & ZA Update – DRB/PC:** The DRB has 1 permit scheduled for next week. The PC decided to skip over Flood Hazard regulations and start on Subdivision regulations. Once the subdivision regulations are updated the Town can apply to the State to become a 10 acre town for Act 250 purposes. **Permits:** There have been 55 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report. **Grants:** N Derby Rd FLAP Grant – Nothing new to report. **Paving** – The State will give the Town funding for Elm St, Darling Hill Rd, and Holland Rd.

Total - \$182,478.72 funding from the State. **Vicious Dog Complaint:** Patricia Moccia has filed a written complaint concerning Mr. Davis' dog Ruby. The Board will need to have a hearing at their next meeting.

#### **OLD BUSINESS:**

**Legislative Update** – There are going to be incentives for purchasing electric cars and bikes. The House proposed a requirement that when repaving State roads that they are required to widen the road wherever possible, it was turned down in the Senate, but the House is going to try to get it back in the bill. There will probably be a lot of funding for Broadband infrastructure.

#### **ROAD REPORT:**

Roads cannot be paved until after July 1<sup>st</sup> and the Town is locked in to the \$60.60/ton price. The Board reviewed pictures of the trash collected from Green-Up Day. It cost \$422 to get rid of the tires and they collected 1.07 tons of trash. The Board received a spreadsheet of the Sand & Gravel and Equipment bids.

#### **OTHER BUSINESS:**

**Beach House Volleyball Court** – Brian would like to get a rotor tiller to fix up the volleyball court.

**Parks & Recreation Committee** – Karen reported on the Committee meetings to date. Third meeting was Saturday. First meeting was organizational. Second meeting reviewed existing facilities and visited the land next to the tennis courts. The Third meeting they reviewed the results of the survey which Karen summarized and did a site visit of the Town Forest. Some of the ideas to look into included updating the website to better list the recreational opportunities available in the area, see what is available for swimming lessons, reach out to see if there is interest in a farmers market, look into disc golf possibly in the Town Forest, having a Town wide yard sale, look into play stations on the Town Green, primitive campsites on Salem for the Northern Canoe Trail, and parking at various areas.

#### **EXECUTIVE SESSION:**

At 7:15 PM Brian moved to go into executive session for a personnel issue, seconded by Steve. Unanimous. Out of executive session at 7:25 PM, no action taken.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, May 17, 2021. Brian made a motion to adjourn the meeting at 7:25 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
May 17, 2021**

**Present:** Brian Smith, Steve Gendreau, Grant Spates, Brad Shattuck, Karen Chitambar.

**Others:** Anthony Moccia, Patricia Moccia, Ashleigh Brock, Ed Barber, Nancy Sheltra, Mary Paradis, Bob Paradis, Paul Prue, Jody Marquis, Steven Davis, Nicholas Low, Nate Hamblett, Tracy Hamblett, Richard Lafoe, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #10A in the amount of \$20,925.13 and #10B in the amount of \$52,209.23 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of May 3, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**VICIOUS DOG HEARING:**

The Board received a written complaint from Patricia Moccia concerning Steven Davis' dog Ruby and are holding this Vicious Dog Hearing to address the complaint. Grant addressed the crowd and asked everyone to keep things civil and to direct their statement to the Board. He asked people to state their concerns first. Anthony Moccia, Mary Paradis, Bob Paradis, Nate Hamblett, Tracy Hamblett, Ashleigh Brock, Nancy Sheltra, and Richard Lafoe stated their concerns about the viciousness of the dog and want the Board to do something about it. They are concerned for the safety of children, adults and other dogs. They want the dog muzzled when off the property in the neighborhood & on a shorter lease and they want the dog in a fenced area when on the owner's property. They gave multiple examples of when they were concerned for their safety. Some of their concerns included that the dog barks viciously, has jumped on a walkers back ripping their jacket, chased other dogs, and killed a cat. They consider the dog to be vicious and believe that it is only a matter of time before something bad happens. They believe that Mr. Davis' girlfriend cannot control the dog. Grant asked Steven Davis, Jody Marquis and their lawyer Nicholas Low to address the concerns. They understand that the neighborhood is upset and afraid of their dog, but the dog has never bitten anyone and is not vicious. Jody was upset how the meeting in March was conducted without them being notified. She addressed the concerns and explained her side of the issues. She apologized for different incidents and is hoping everyone can just get along. They explained that they have a 5 ft high cattle fence that they will be installing in their back and side yard and a new shock collar for the dog. Mr. Davis has the fence and posts and hopes to get the fence installed this weekend if he can rent a pneumatic hammer. The dog is never outside unsupervised. The only time the dog is in the front yard is on their deck. They only walk the dog up the hill towards the Hackett property and not around the block any more. They do not like the idea of a muzzle as it can traumatize a dog. They are looking for a dog trainer in the area, but are having a hard time finding one. Claire Silver has moved out of the area. In the last month or so they have walked the dog on the bike path many times and have met many people and dogs and there have not been any issues. The examples the neighbors have given and mostly all normal dog behavior and they stressed that the dog is not vicious. After all testimony was given the Board deliberated. The Board was concerned that so many people from the neighborhood are afraid of the dog. Brad moved to order that Steven Davis must install a 5 ft high fenced in area where his dog can be outside without a lease or muzzle and when outside of the fenced in area his dog Ruby must be kept on a 6 ft lease and muzzled when in all neighborhoods within the Town of Derby. In open areas the dog can be on a longer lease without the muzzle, seconded by Brian. Unanimous, with Karen abstaining.

**NEW BUSINESS:**



**Coin Drops** – Karen moved to allot coin drops to Derby Line Fire Department, Disabled American Veterans, Derby Fish & Game Club, and combined Dailey Memorial Library/Lake Salem Association, seconded by Brad. Unanimous.

**Appoint Planning Commission Position** – There were 2 candidates Ruth Duckless & Carol Brown. Steve moved to appoint Carol Brown to fill the vacancy on the Planning Commission, seconded by Brian. Unanimous with Grant abstaining.

**Review & Sign: Balance Sheet Report, Budget Status Report, Delinquent Tax Report, General Journal Report and Non Arbitrage Borrowing Anticipation Note** – All were reviewed and signed.

**Review & Sign Excess Weight Permit – United Natural Foods Inc** – Steve reviewed and signed as Road Commissioner.

**TA & ZA Update – DRB/PC:** The DRB has 2 permits scheduled for next week. The PC is continuing to review the Subdivision regulations. **Permits:** There have been 64 permits submitted year to date. **Storm Damage – FEMA:** Nothing new. **Grants:** N Derby Rd FLAP Grant – Nothing new. Welch Appropriation – Senator Sanders sent out the same thing as Welch last Wednesday with proposals due last Friday. I contacted Sanders office and they said we could submit the same thing we submitted to Welch, so I did. If both of them are promoting it we should have a better chance. **Dailey Library:** The library will be holding 2 community yard sales for fund raising on the Derby Green on May 29<sup>th</sup> and September 4<sup>th</sup>. These will be trunk sales like they did last year. **Covid Funding:** VLCT has a webinar tomorrow at 1:00 and NVDA has one tonight. Derby Line has submitted a wish list and Derby Center is meeting tomorrow night and will discuss this. I believe they have a couple of pump stations they would like to replace. **Town Offices:** The Town Offices are now back fully open. If you are not fully vaccinated you need to wear a mask.

## **OLD BUSINESS:**

**Legislative Update** – There are going to be incentives for purchasing electric cars and bikes. The House proposed a requirement that when repaving State roads that they are require to widen the road wherever possible, it was turned down in the Senate, but the House is going to try to get it back in the bill. There will probably be a lot of funding for Broadband infrastructure.

## **ROAD REPORT:**

Land owners have been asking if the Town would grade their private roads. After discussion the Board decided to not grade any private roads. Bushey Hill Road has been built up at the intersection with Hinman Settler Road, but Steve would like to build it up a little more. The Road Crew has been starting to fix up Town Forest Road so that people can access the area at the end of the road for parking when using the Town Forest.

## **OTHER BUSINESS:**

**Beach House** – The Board wants to dedicate the Beach House to Beula Shattuck. Brad will take the lead is getting a plaque.

## **EXECUTIVE SESSION:**

At 7:50 PM Brian moved to go into executive session for pricing the pieces of the Poulin land that they want to sell to the Main St abutters, seconded by Steve. Unanimous. Out of executive session at 8:07 PM, no action taken.

## **ADJOURNMENT:**

May 31<sup>st</sup> is Memorial Day, so the Board will not be meeting. The next regular meeting is scheduled for 6:00 p.m. Monday, June 14, 2021. Karen made a motion to adjourn the meeting at 8:07 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
June 14, 2021**

**Present:** Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar.

**Others:** Anthony Moccia, Luke Vidic, Cam Green, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #12A in the amount of \$22,174.94 and #12B in the amount of \$71,697.25 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of May 17, 2021, with Karen seconding. Unanimous.

**PUBLIC COMMENTS:**

Joe Profera asked about dry hydrants. If the Fire Dept wants to put one in on private property, they should negotiate directly with the land owner.

**NEW BUSINESS:**

**July 3<sup>rd</sup> Parade – Theme – Honoring All Essential Workers** – The Lion's Club is not able to organize the parade. Curt Brainard talked to the Parks & Recreation Committee at their last meeting. The Committee would like to take over the parade. Brian moved for the Town of Derby to have a parade this year on Saturday July 3<sup>rd</sup> starting at 10:00, seconded by Karen. Unanimous. The Board was very grateful and thanked Curt Brainard specifically and the Lions Club in general for the many decades that they have been organizing the parade. Karen and the Parks & Recreation Committee will take the lead in organizing the parade with much needed help from Cam Green and as many volunteers as they can roundup. Curt Brainard will be asked to be Grand Marshall. Taplin's can do the port-a-potties by shuffling around existing port-a-potties the Town currently rents, cost will be \$150. ADA can do the traffic control at a cost of \$850. Steve moved to approve hiring ADA for traffic control at \$850, seconded by Brian. Unanimous. Two deputies from the Sheriff's Dept will be required at a cost of \$783.52; this will come out of what was budgeted for Law Enforcement. Vehicles in the parade will need proof of insurance. It will start at the Elks. There are vendors and food trucks already signed up, they are singing up through the Town Clerk. Wrights has volunteered to put up a tent and tables and chairs from the Beach House will be used.

**Anthony Moccia – Bike Event** – Anthony is organizing bike races on October 16<sup>th</sup>. There will be multiple races throughout the day and will be mostly on private land. Only one race will impact Town Road as it will cross Ridgehill Drive and Darling Hill Road. They will have cones and people at the road crossings to make sure everyone stays safe. The Town will need proof of insurance and be listed on the policy. The event will start at 9:00 am and end around 5:00 pm with most of the event taking place on Todd & Hilarie Wright's land off Upper Quarry Road. There has been considerable interest in the event already. The Board was in favor of the event and thinks it will be good for the Town. The last bike event Anthony organized in Derby went very smoothly.

**Milfoil & Recycling Pay Rates** – The Board reviewed the rates. Brian moved to approve the rates, seconded by Karen. Unanimous.

**Review & Sign Excess Weight Permit – The Fort Miller Service Corp** – Steve reviewed and signed as Road Commissioner.

**Review & Sign: Balance Sheet Report, Budget Status Report, Delinquent Tax Report, General Journal Report and Financial Management Questionnaire** – All were reviewed and signed.

**TA & ZA Update – DRB/PC:** The DRB has no permits scheduled for next week. The PC is continuing review of the Subdivision regulations. **Permits:** There have been 73 permits submitted year to date. **Storm Damage – FEMA:** Nothing new. **Grants:** N Derby Rd FLAP Grant – They are getting ready to start, possibly this week. Better Roads Grant – We received a \$20,000 Better Roads grant to fix drainage issues on Pine Hill Rd. Town Highway Structure Grant – We received a \$10,629 Engineering Grant to design the Bushey Hill culvert at the bottom of Libby Hill. We have been promised a grant for the structure next year. **Zoning Violation:** Worcester 190 Main St – I have reached an agreement with the owner to have everything done by September 15<sup>th</sup>. If the property sells prior to getting the repairs done I am giving the new owner until December 31<sup>st</sup>. **Bylaw Amendment:** You have a Public Hearing warned for you next meeting for amendments to Article 5: Overlay District Regulations and to change the Zoning district around the Y at Beebe Road to Village Commercial Derby Center (VCDC). **Poulin Land:** Horizon Engineering is working on a map splitting off lots abutting the properties along Main Street. They are busy but should have something for us by the middle of July.

#### **OLD BUSINESS:**

**Legislative Update** – There is a veto session coming up. The Governor vetoed a bill that would allow noncitizens in some communities to vote in local elections.

#### **ROAD REPORT:**

The Town Forest road is done. People can now access the parking at the end of the road. Pine Hill drainage work is underway.

#### **OTHER BUSINESS:**

**Newport Fireworks** – Brian moved to donate \$1,000 to Newport City for their fireworks and to ask them to advertise Derby's parade, seconded by Steve. Unanimous.

#### **EXECUTIVE SESSION: None.**

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, June 28, 2021. Steve made a motion to adjourn the meeting at 7:04 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
June 28, 2021**

**Present:** Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar (remotely).

**Others:** Kevin Chickering, Jane Snider, Tony Tanguay, Ed Barber, Luke Vidic, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #13A in the amount of \$25,219.31 and #13B in the amount of \$96,365.86 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of June 14, 2021, with Brad seconding. Unanimous.

**PUBLIC HEARING BYLAW AMENDMENT:**

Brian moved to recess the meeting for a Public Hearing for public input on proposed bylaw amendments, seconded by Steve. Unanimous.

The proposed bylaw amendments are to:

1) Amend Article 5: Overlay District Regulations

Change the reference in §501.2(C) from 203.1 to 203.3.

Change Department of Agriculture to Agency of Agriculture, Food and Markets in §501.3(G)

Delete §502 Tax Increment Finance District and §503 Design Control District.

2) Change parcels RT005007E5T, RT005011E5T, RT005013E5T, and a portion of TRD03001E5T from Commercial (COM) to Village Commercial Derby Center (VCDC). These parcels are located near the intersection of Route 5 and Beebe Road.

3) Change a portion of parcel TRD03001E5T from Residential Two Acre (R2) to Village Commercial Derby Center (VCDC). This parcel is located near the intersection of Route 5 and Beebe Road.

The Selectboard asked a few questions. There were no public comments. Brian moved to close the Public Hearing, seconded by Brad. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Consider Proposed Bylaw Amendments** – Brian moved to approve the proposed bylaw amendments as proposed, seconded by Brad. Unanimous.

**Cannabis Discussion** – The State in all their wisdom has required Towns to opt in for allowing cannabis sales in their town on the day before Town Meeting. This will require Towns to hold special meetings rather than have it a ballot item at Town Meeting, adding an extra expense for Towns. The Board would like to keep the option open for allowing cannabis sales in Derby, but the cost of a special vote is a concern. Karen moved to have a special vote provided that mailing ballots to all residents is not required, seconded by Brad. Unanimous.

**Jane Snider – Road Naming** – Jane would like the Town to name the private road that Paul's Sugarhouse is on. She is proposing naming it Paul's Sugarhouse Drive. People using a GPS for directions have a hard time finding them for events. The only other resident on this road is Mr. Limlaw and he is in favor of naming it Paul's Sugarhouse Drive. Brian moved to name the private road Paul's Sugarhouse Drive, seconded by Brad. Unanimous.

**Review & Sign Annual Financial Plan – Town Highway** – The Board reviewed the plan. Brian moved to sign the Annual Financial Plan – Town Highway, seconded by Steve. Unanimous.

**Coronavirus Local Fiscal Recovery Funding (CLFRF)** – This was added to the agenda. The Board needs to vote to accept the funds, pick an Authorized Representative and a contact person before July 15<sup>th</sup>, and complete a certification online. Steve moved to accept the funds, and

appoint Town Administrator Bob Kelley as the Authorized Representative and Contact for the Town, seconded by Brian. Unanimous

**TA & ZA Update – DRB/PC:** The DRB & PC do not have a meeting next week due to 4<sup>th</sup> of July. **Permits:** There have been 75 permits submitted year to date. **Storm Damage – FEMA:** We received an extension until the end of the year to finish up the Dumas Rd culvert. Fenoff has signed the contract and submitted his bonding. **Grants:** N Derby Rd FLAP Grant – Austin Construction started work last week. Better Roads – The Road Crew has been working on different sections of Pine Hill Rd because of the traffic in and out of the pit by the golf course; Gosselin will have to install the culvert across the access. Grants-in-Aid – I have submitted the letter of intent to participate in the grant program this year. We can expect \$11,000 from the State with a \$2,750 match required from the Town. **Poulin Land:** We got the loan thru Community National Bank. All our loans from CNB are unsecured, so there is no lien on the property and selling pieces to abutters is not an issue. **Zoning Violations:** I sent out 2 Notices of Violation last week for exceeding the number of yard sales allowed in a year, one to LaBarron (212 Main St) and the other to the Border Edge Motel. **Beach House:** The Beach House could use a coat of paint and a new stove. Bob will look for an inexpensive or free used stove.

#### **OLD BUSINESS:**

**Legislative Update –** None.

**July 3<sup>rd</sup> Parade –** Karen updated the Board. The parade will follow the same route as always going from the Elks to the Derby Village Store. It will start at 10:00 as usual. There will be a banner on the front page of the Newport Daily Express on Tuesday and Thursday. Pat Austin (Casella) is donating trash barrels and a dumpster, Wrights are donating a tent, people are lined up for the various tasks on parade day and Matt Wright (Sweet Scoops) will pay for any overages on the electricity.

#### **ROAD REPORT:**

The Road Crew has been graveling, ditching, and mowing. Everything is going good. The asphalt from the North Derby Rd project is being recycled. Kevin Chickering wanted to thank the Road Crew & Commissioner for the excellent job they have been doing, Ed Barber agreed.

#### **OTHER BUSINESS:**

**Municipal Building –** The aluminum trim is coming off the windows. This was just installed in the last couple of years. The contractor needs to come back and fix this. Bob has already contacted the contractor. The building also needs to be pressure washed after the trim is fixed. Brian suggested getting Marc Gosselin to do it.

**Housing Foundation Mobile Home Park – Rte 5 –** Brian received a complaint about an abandoned mobile home on lot B-1 in the Housing Foundation Mobile Home Park off Route 5. They are scheduled to remove it in the fall. The shed beside it has collapsed and there is an old couch sitting beside it. Brian thinks something should be done sooner than fall and is looking into it.

**Trees on Bates Hill Rd –** Tree Warden Joe Profera was called to look at the trees along the road within the Town R.O.W. at 2211 Bates Hill Rd. These are very old maples and are in very poor condition. The property owner thinks something needs to be done with them. Joe thinks they should be removed. Steve will go with Joe to look at them and see if this is something the Road Crew can do.

#### **EXECUTIVE SESSION: None.**

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, July 12, 2021. Brad made a motion to adjourn the meeting at 7:18 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**July 12, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar.

**Others:** Ed Barber, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #14A in the amount of \$22,021.00 and #14B in the amount of \$156,644.14 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of June 28, 2021, with Steve seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Raymond Peczynsk – Caution Sign – West Street** – Mr. Peczynsk was not present to explain his concern. No action taken.

**Listers – Errors & Omissions** – Brian moved to approve the request, seconded by Steve. Unanimous.

**Newport Ambulance** – Jeff Johansen would like to know if the Board would like him to come to a meeting to discuss any issues that the Board might have with the Ambulance's service. The Board doesn't have any issues with the Ambulance service and doesn't see a need for Jeff to attend a Selectboard meeting at this time.

**Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, General Journal Report** – All were reviewed and signed.

**TA & ZA Update – DRB/PC:** The DRB has next week off and one permit for their following meeting. The PC is continuing to work on subdivision regulations. **Permits:** There have been 79 permits submitted year to date. **Storm Damage – FEMA:** Nothing new. **Grants:** N Derby Rd FLAP Grant – Both culverts have been removed and the channel moved. Better Roads – The Road Crew has been working on different sections of Pine Hill Rd. Grants-in-Aid – We have been awarded \$12,100. A 20% match is required and can be in-kind. Recreation Grants – Vermont has \$6,000,000 in recreation grants this year. \$5,000,000 is a one-time extra from Covid funds. This would be a good fit for our tennis courts and for Fish & Game's kid pond dam. Letters of Interest need to be submitted by Aug 27<sup>th</sup>, they will invite applicants to submit full applications the week of Sept 27<sup>th</sup> and full application are due Nov 15<sup>th</sup>. Coronavirus Local Fiscal Recovery Funding (CLFRF) - We have certified that the Town wants the funds. **Office Hours:** Starting either next Monday or the beginning of August the Town/Zoning Administrator's office will be closed in the mornings for 2 - 3 months due to health issues.

**OLD BUSINESS:**

**Legislative Update** – None.

**Parks & Recreation Committee Update** – The parade went very well, it was a community effort and everyone rose to the occasion. The Clerk's Office, Curt Brainard, Cam Green, Julie Gunn, Gwen Bailey-Rowe, Ruth Duckless, Adam Patten, Pat Austin, and Wright Enterprise were very helpful. Karen updated the Board on Community Broadband. The Town may want to invest some of the Covid Relief fund in broadband.

**ROAD REPORT:**

The Road Crew has been graveling, ditching, and mowing. Everything is going good. The asphalt from the North Derby Rd project is being recycled. Paving should begin the around the

end of July. The Hayward Road Bridge needs an expansion joint on the North Side after it is paved.

**OTHER BUSINESS: None.**

**EXECUTIVE SESSION: None.**

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, July 26, 2021. Brad made a motion to adjourn the meeting at 6:26 p.m., with Karen seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
August 9, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar.

**Others:** Kevin Chickering, Luke Vidic, Joe Profera, Bob Kelley, Ed Barber (remotely).

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #16A in the amount of \$24,610.16 and #16B in the amount of \$171,803.80 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of July 12, 2021, with Brian seconding. Unanimous.

**PUBLIC COMMENTS:**

Ed Barber asked about the Covid funding being distributed to municipalities. Currently it is unknown how much will be coming from what is earmarked for Counties, but the funds will be going to Towns in Vermont.

**NEW BUSINESS:**

**Kevin Chickering – Nelson Hill Rd** – Mr. Chickering thinks the Town is doing a very good job with the Town roads, but the dust on Nelson Hill Rd has been very bad this year. Steve explained that chloride works best if it is applied after grading and rain. This year has not been very good conditions for applying chloride. Mr. Chickering was wondering if the Town was considering paving Nelson Hill Rd. The Board said they would look at it during budgeting for next year.

**Listers – Errors & Omissions** – The board reviewed and signed.

**Review & Sign – Excess Weight Permits – JBW Excavation, Structures RBR Inc** – Steve reviewed and signed both as Road Commissioner.

**Review & Sign – Retention Plan Report** – The Board reviewed and signed the report.

**Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, General Journal Report** – All were reviewed and signed.

**Review & Approve – 2021 Tax Rate** – The Board reviewed the Tax Rates calculated by the Town Clerk. The Homestead Rate is \$0.0653 lower than last year and the Non-Homestead is \$0.0366 lower than last year:

General Budget Tax Rate	\$0.1637
Road Department Tax Rate	\$0.1907
Cemetery Tax Rate	\$0.0064
Voted Appropriations Tax Rate	\$0.0596
<u>Local Agreement Tax Rate</u>	<u>\$0.0033</u>
<b>Total Town Tax Rate</b>	<b>\$0.4237</b>

School Homestead Tax Rate	\$1.3405
School Non-Homestead Tax Rate	\$1.6212

**Total Homestead Tax Rate** **\$1.7642**

**Total Non-Homestead Tax Rate** **\$2.0416**

Brian moved to approve a Total Homestead Tax Rate of \$1.7642 and a Total Non-Homestead Tax Rate of \$2.0416, seconded by Brad. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has 2 permits pending for next week. The PC is continuing to work on subdivision regulations. **Permits:** There have been 91 permits submitted year to date. **Storm Damage – FEMA:** Fenoff will be starting the Dumas Road culvert next



Monday, August 16<sup>th</sup>. **Grants:** N Derby Rd FLAP Grant – The guard rails and cleanup is all that is left. Better Roads – Pine Hill Rd is complete except for the culvert at the access to KingdomGo's Gravel Pit. Grants-in-Aid – The Board needs to decide what sections of road to use this grant for (\$15,125 including our 20% match). Recreation Grants – Fish & Game would like to have a letter of support from the Selectboard. Bob suggested that the Board approve a letter of support and authorize Grant to sign it on the Board's behalf. The Town will also be applying for a Recreation Grant to rebuild the tennis courts. The Board decided to apply to move the tennis courts, add lighting and bathroom facilities. **Office Hours:** Bob has started his treatments, so from now until the end of September he will be starting work at about 12:30.

**OLD BUSINESS:**

**Legislative Update** – None.

**ROAD REPORT:**

The Road Crew has been replacing a lot of culverts.

**OTHER BUSINESS:**

**Letter of Support** – Brad moved to send a Letter of Support for a grant that the Derby Fish & Game Club is applying for to repair Kid's Pond and to have Grant sign it on behalf of the Board, seconded by Brian. Unanimous

**EXECUTIVE SESSION:**

At 6:45 Brian moved to go into Executive Session for a contract issue, seconded by Brad. Unanimous.

Out of Executive Session at 6:48, no action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, August 23, 2021. Brian made a motion to adjourn the meeting at 6:49 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
August 23, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar.

**Others:** Jay Johnson, Maryann Tetreault, Larry Fortin, Rod Lyon, Renee Falconer, Sheriff Jen Harlow, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #17A in the amount of \$22,931.77 and #17B in the amount of \$191,440.68 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of August 9, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Sheriff's Dept – Jen Harlow** – Sheriff Harlow explained how the budget was coming along. At the current rate they will be about \$10,000 over budget. Thefts at Walmart are a big contributor to this. The Sheriff's Department has responded to over 62 incidents at Walmart this year. She explained that the Board can now review all the incidents that they respond to online. Bob will make sure the Board gets a link to the site and the password. The Sheriff would like to know if the Board wants her to continue with the service they have been providing or do they want her to cut back on directed patrols. The Board would like to review the data online before making a decision.

**Maryann Tetreault – Delinquent Tax – Attorney** – Attorney Angela Ross sent a letter that she will no longer be doing tax sales. Maryann contacted other towns in the area and a lot of other towns are using Sara Davies from the office of May Davies and recommends that the Town switch to her. Brad moved to use May Davies for Delinquent Tax Sales, seconded by Brian. Unanimous.

**Renee Falconer – Assistant – Funds for Kennel** – Renee would like to get another kennel and is asking all her Towns for \$75 to buy the kennel. She will only get the kennel if all the Towns agree. She would also like to have her stepdaughter Michelle Falconer appointed as Assistant Animal Control Officer. Renee would split her pay with Michelle. Brian moved to contribute \$75 for a new kennel provided all the other Towns contribute and to appoint Michelle Falconer as Assistant Animal Control Officer, seconded by Brad. Unanimous

**Lawrence Fortin – Interested in Town Land** – There is a very small piece of land that the Town owns on Hinman Settler Road that is surrounded on 3 sides by land that Larry owns. The land is not of much use to anyone and he would like to purchase it if the Town is willing to sell it for a minimal amount. There is also a piece of land abutting his land to the north that no one knows who owns it. He has consulted an attorney and it may be possible for him to acquire it by a quiet title. He would like to proceed with this if the Town does not object. The Board would like to have an Executive Session to discuss selling the land and have no objections to Larry trying to acquire the other parcel by quiet title.

**Listers – Errors & Omissions** – The board reviewed and signed as submitted.

**Review & Reapprove – 2021 Tax Rate** – The Board reviewed the Tax Rates calculated by the Town Clerk. This change from 2 weeks ago is due to a change in the Grand List and a change to the amount to be raised in taxes for the Road Dept. The Homestead Rate is \$0.0959 lower than last year and the Non-Homestead is \$0.0739 lower than last year:

General Budget Tax Rate	\$0.1648
Road Department Tax Rate	\$0.1584

Cemetery Tax Rate	\$0.0065
Voted Appropriations Tax Rate	\$0.0601
Local Agreement Tax Rate	\$0.0033
<b>Total Town Tax Rate</b>	<b>\$0.3931</b>

School Homestead Tax Rate	\$1.3405
School Non-Homestead Tax Rate	\$1.6212

<b>Total Homestead Tax Rate</b>	<b>\$1.7336</b>
<b>Total Non-Homestead Tax Rate</b>	<b>\$2.0143</b>

Brad moved to approve a Total Homestead Tax Rate of \$1.7336 and a Total Non-Homestead Tax Rate of \$2.0143, seconded by Karen. Unanimous.

**Pressure Washing – Clerk’s Building** – There were 2 quotes: Mr. Clean Pressure Washing and Carpets Cleaning - \$475.00 and Marc Gosselin - \$850.00. Brian moved to hire Mr. Clean provided their quote includes using a cleaner that gets rid of mold, seconded by Brad. Unanimous

**Liquor License – Goobs Brew & Barbeque** – At 6:34 Karen moved to recess the meeting to go into a Liquor Control Board meeting, seconded by Brad. Unanimous.

This is in a portion of the Bianchi Memorial property on Route 5. At 6:35 Brian moved to come out of the Liquor Control meeting, seconded by Steve. Unanimous.

Brian moved to approve the Liquor License for Goobs Brew & Barbeque, seconded by Steve. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB doesn’t have any permits pending for next week. The PC is continuing to work on subdivision regulations. **Permits:** There have been 95 permits submitted year to date. **Storm Damage – FEMA:** I believe the Dumas Road culvert is completed. **Grants:** N Derby Rd FLAP Grant – The work is completed. The only thing left is to make sure the phone company is ok as Austin hit the phone line and broke the wire wrapping the cables together. Better Roads – Nothing new. Grants-in-Aid – Nothing new.

## **OLD BUSINESS:**

**Legislative Update** – None.

## **ROAD REPORT:**

The new truck is on back order.

## **OTHER BUSINESS:**

**Jay Johnson – Haskell Library Letter of Support** – The Haskell Library is applying for a grant from T-Mobile to replace the windows in the Opera House. Karen moved to write a letter of support for the project, seconded by Brian. Unanimous

## **EXECUTIVE SESSION:**

At 7:05 Brian moved to go into Executive Session to discuss the land sale proposed by Lawrence Fortin, seconded by Steve. Unanimous.

Out of Executive Session at 7:14, no action taken.

## **ADJOURNMENT:**

There will be no meeting on Labor Day, Sept 6<sup>th</sup>. The next regular meeting is scheduled for 6:00 p.m. Monday, September 20, 2021. Brad made a motion to adjourn the meeting at 7:15 p.m., with Brian seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
September 20, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Brad Shattuck, Karen Chitambar.

**Others:** Brandon Phillips, Michael Koehle, Betsy McDonald, Jim Walker (remotely), Roger Gosselin (remotely), Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #19A in the amount of \$25,469.19 and #19B in the amount of \$599,002.02 were signed.

**APPROVE MINUTES:**

Brad moved to approve the minutes of August 23, 2021, with Karen seconding. Unanimous.

**PUBLIC COMMENTS:**

Jim Walker had concerns with the new bridge on North Derby Road. He thinks that because there is no road shoulder to step onto that the traveled portion of the road should be striped giving pedestrians and cyclists a safe lane to walk and bike. The Board will look into this suggestion.

**NEW BUSINESS:**

**Drift Dusters – Bridge – Roger Gosselin** – Roger Gosselin, Brandon Phillips and Michael Keohle asked the Board to approve the annual permission for the use of Town Property for the snowmobile trails and to replace the bridge on Fish & Game Road. There are two options for replacing the bridge. Option A would require the Drift Dusters to remove the bridge if they discontinue the trail and option B would allow the Town to keep the bridge if the trail was discontinued and would require the Town to pay fair market value for the bridge at the time of discontinuance. The Board preferred option A. Steve move to approve the requests with option A for the bridge and have Grant to sign the required documents on behalf of the Board, seconded by Karen. Unanimous.

**Culvert Policy** – The Board reviewed a draft policy and made a few changes. The Board will review the changes at their next meeting.

**Server Replacement** – The Town's computer server is dying. Tech Patrol has been keeping it limping along. A new server installed will be about \$10,000 - \$12,000. This is something that the Covid funds can be used for. The Board approved the use of the Covid funds for a new server.

**Listers – Errors & Omissions** – The board reviewed and signed as submitted.

**Review and Sign Excess Weight Permit – James K Labounty Jr** – Steve reviewed and signed as Road Commissioner.

**Review and Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report, and General Journal Report** – All were reviewed and signed.

**TA & ZA Update – DRB/PC:** The DRB doesn't have any permits pending for next week. The PC is continuing to work on subdivision regulations. **Permits:** There have been 98 permits submitted year to date. **Storm Damage – FEMA:** Dumas Road is completed. Just waiting on Ruggles last invoice to submit to FEMA for reimbursement. **Grants:** N Derby Rd FLAP Grant – The work is completed. We should be getting one more invoice from GPI and then we can close out the FLAP Grant. **Covid Funding:** We have received \$459,299.83 and we will be getting the same next year. **Zoning Violations:** Therrien on Beebe Rd has all kinds of junk in his yard again. I have not been to see it in the last month or so, but have gotten a few calls on it. My recommendation is to have our attorney go after the money that is owed us from the last

court case with them and I will issues another violation as soon as I visit the property again. There is a contract on the 159 Main St house that has a violation on it. The prospective owner has signed an agreement to have it cleaned up by the end of the year.

### **OLD BUSINESS:**

**Legislative Update** – Not much going on.

### **ROAD REPORT:**

The Town has a grant for the engineering for the Bushey Hill Culvert and the Town is in line to get funding to construct it next year. Rod has been looking into the Cobb Brook culvert on Hinman Settler Road and talked to the State. The State will do a hydraulic study over the winter and the Town should be able to get an engineering grant next year and hopefully a construction grant in 2022. Holland Road should be paved tomorrow. The Hayward Road bridge expansion joint should be complete today. Coventry is paving their end of Pine Hill this fall. The Road crew put pavement grinding on Nelson Hill Road between Herrick Rd and Fortin Rd. Rod has gotten permission from the land owner to put in a cross culvert on Upper Quarry Rd just before Jambash Peak Rd. He hopes to put it in sometime in the next few weeks.

### **OTHER BUSINESS:**

The Board reviewed a draft map of the Poulin land they are considering selling to the abutting property owners along Main St. This is roughly a 50 ft – 90 ft strip of land. The lots would be between 0.09 – 0.22 acres. The Town will calculate the cost per acre of usable land from the purchase price so that they can decide on how much to sell the land for and review this again at their next meeting.

### **EXECUTIVE SESSION:**

At 7:15 Karen moved to go into Executive Session to discuss the land sale proposed by Lawrence Fortin, seconded by Brad. Unanimous.

Out of Executive Session at 7:22, no action taken.

### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, October 4, 2021. Karen made a motion to adjourn the meeting at 7:22 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**October 4, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar (remotely).

**Others:** Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #20A in the amount of \$35,167.44 and #20B in the amount of \$124,192.67 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of September 20, 2021, with Brian seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Listers – Errors and Omissions – John’s River Apartment–** The result of the State hearing was a value of \$189,100. Brian moved to approve a value of \$189,100 for parcel SMSDC013G5C, seconded by Steve. Unanimous.

**Sign Appropriations – NEK Human Services –** NEK Human Services is requesting an appropriation of \$9,242 to go on the ballot for 2022. This is the same as requested and approved in 2021. Derby’s Appropriations Policy allows the Board to add requested appropriations to the ballot without signatures if they are requesting the same as the prior year. Brian moved to add an appropriation for NEK Human Service onto the 2022 ballot, seconded by Steve. Unanimous.

**TA & ZA Update – DRB/PC:** Both are not meeting next week because of Indigenous Peoples/Columbus Day. **Permits:** There have been 103 permits submitted year to date. **Storm Damage – FEMA:** The State is checking in to what the holdup is on the reimbursement on the work done by our road crew. The work done by contractors is awaiting environmental review. Dumas Rd is also awaiting environmental review and I will be sending FEMA the last of the invoices this week. **Grants:** N Derby Rd FLAP Grant – GPI went over budget and still has a little more work to do. The reason for being over budget is due to the hours that Del was on site. They are asking if the Town would consider amending their contract. The current contract reads “The total amount to be paid to the CONSULTANT for all services shall not exceed a maximum limiting amount of \$33,558.00”. GPI will be approximately \$3,800 over budget when all the work is completed. The FLAP Grant will cover 80% of the additional cost. Brian moved to amend the contract to not exceed \$37,358.00, seconded by Steve. Unanimous.

**OLD BUSINESS:**

**Legislative Update –** None.

**Driveway Culvert Policy –** The Board reviewed changes made to the draft policy at their last meeting. Steve moved to approve the following Driveway Culvert Policy, seconded by Brian. Unanimous.

**Driveway Culvert Policy - Town of Derby**

**Purpose:** The purpose of an accepted driveway culvert policy is to define the scope of procedures for the Highway Crew relating to residential driveway culverts within a Town Road Right of Way. New driveways require an access permit and approval from the Derby Road Commissioner.

**Procedure:** The property owner is responsible for purchase and proper installation of their first driveway culvert upon approval of an access permit. The new driveway must be inspected and approved by the Highway Foreman after construction. The Highway Crew will monitor individual residential driveway culverts for proper function; or upon

the request of the resident to inspect a failed driveway culvert. If deemed failed by the Road Foreman the Town will be responsible for replacement or repair of one primary residential driveway culvert per property.

If a property has two driveways with culverts, the property owner is responsible for the replacement or repair of the secondary culvert. If a secondary culvert has failed and the property owner does not replace or repair it, the Town will close the access, remove the failed culvert and reestablish the roadside ditch.

**Materials:** The Town will replace with the proper sized culvert to meet State and Town road standards and gravel as needed. The property owner is responsible for any paving.

**Poulin Land** - There is approximately 11 usable acres and the Town purchased the property for \$160,000. This comes to approximately \$15,000/usable acre that the Town paid for the land. The Board would like to offer small pieces of land to the abutting property owners along Main Street. The lots would vary between 0.09 acres and 0.22 acres. The Board decided to offer the lots to the abutters for the equivalent of \$15,000 per acre plus \$500 for attorney fees. The prices will vary from \$1,850 to \$3,800.

#### **ROAD REPORT:**

A few trees along Darling Hill Road are being cut.

**OTHER BUSINESS: None.**

#### **EXECUTIVE SESSION:**

**Land Sale** – The Board decided Executive Session was not required. The Board has offered a 49.5' x 66' piece of land to the Kacel Family Trust, Larry Fortin Trustee, for \$1,000 plus all legal fees and associated costs. The Kacel Family Trust property abuts this land on 3 sides. The Kacel Family Trust has agreed to the offer. Brian moved to proceed with the land sale for \$1,000.00 plus all attorney fees and associated costs being paid by the buyer, seconded by Steve. Unanimous.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, October 18, 2021. Brian made a motion to adjourn the meeting at 6:30 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**October 18, 2021**

**Present:** Grant Spates, Brian Smith, Steve Gendreau, Karen Chitambar, Brad Shattuck.

**Others:** Scott Perry, Amanda Perry, Faye Morin, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #21A in the amount of \$19,921.68 and #21B in the amount of \$67,245.77 were signed.

**APPROVE MINUTES:**

Brian moved to approve the minutes of October 4, 2021, with Karen seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Scott & Amanda Perry – Lawson Road** – The Perry's would be interested in buying the small piece of land between Lawson Road and John's River. This is less than ¼ acre and is right across the road from their house. They have been using it and another property owner has been giving them a hard time. The Board will look into selling it or granting them exclusive use of it.

**Sign Appropriations – RCT Inc** – RCT Inc is requesting an appropriation of \$2,500 to go on the warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Derby's Appropriations Policy allows the Board to add requested appropriations to the warning without signatures if they are requesting the same amount as the prior year. The Board agreed to add the appropriation to the 2022 Warning.

**Review & Sign Excess Weight Permits – Larry Snider-Snider Trucking and Sunset Timber Transport** – Steve reviewed and signed both as Road Commissioner.

**Review & Sign – Balance Sheet, Budget Status, Delinquent Tax Report, and General Journal Posting** – The Board reviewed and signed all.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending for their meeting next Monday and the PC will continue working on amendments to the subdivision regulations. **Permits:** There have been 107 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report, still waiting for reimbursement. **Grants:** N Derby Rd FLAP Grant – The contract with GPI has been amended. The total additional cost came to \$3,360 instead of \$3,800 after I caught a \$5/hr error in the overtime rate. **Poulin Land:** We didn't calculate in the cost of surveying the lots which will total about \$2,000. This would add about \$300 to each lot if we want to recover this cost. The Board agreed to add an additional \$300 to the asking price for the lots. **Pine Hill Road:** Coventry will be paving Pine Hill Road early next summer. They hope to have it done by the end of June.

**OLD BUSINESS:**

**Legislative Update** – None.

**ROAD REPORT:**

The price of salt is going up. The Town just purchased 100 tons at \$80.75/ton. The new truck is not in yet. The Board agreed to put a deposit on the equipment to go on the new truck so that when the truck arrives there will not be a wait for the equipment. The State is pushing for towns to use a brine solution on the roads instead of salt. The Town will continue to use salt. The clutch is going on the Champion grader. The Board discussed selling it but thought it was better to keep it for now. The Stump Dump needs to be pushed back.



**OTHER BUSINESS:**

**Parks & Recreation Committee** – Karen filled the Board in on the Parks & Recreation Committee's last meeting. The Town has been asked to submit a full application for the VOREC Grant for the Kid's Fish & Game Pond/Tennis Courts/Bike Connector across I91. Platforms for camping at the Clyde River Park for people canoeing the Northern Canoe Trail would be a good addition. The date for the 4<sup>th</sup> of July parade needs to be set. The Board decided to hold it on Monday July 4<sup>th</sup> rather than on the weekend. Disc Golf might be an additional use for the Town Forest. All that would be needed would be clearing the underbrush and portable disc golf baskets. The Board had concerns with it being a conflict with hunters. The Town's property along 4-H Road might be a better location for disc golf. Getting a conservation assessment of the Town Forest might be a good idea. Steve thought the Town already has a conservation plan for the Town Forest. Faye will look in the files for it.

**NEK Hoops** – NEK Hoops has contacted both Derby and Newport to see if one of the Towns would take it over. The Board thought that NEK Hoops need to establish a board to run it. Currently it is mainly just one person. A group dedicated to the program is needed.

**Broadband** – NEK Broadband is asking all the Towns to fill out a survey of Town resources that might be of use to them. They are looking of areas to place their electronics that has backup power and also for storage areas during construction. Bob will fill out the survey.

**Beach House Security** – The call out phone numbers for the alarm needs to be updated to call Brad first, Bob second, and Brian third.

**EXECUTIVE SESSION:**

**Legal Issue** – At 7:02 Brian moved to go into Executive Session for a legal issue, seconded by Brad. Unanimous.

Out of Executive Session at 7:07. No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, November 1, 2021. Brian made a motion to adjourn the meeting at 7:07 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**November 1, 2021**

**Present:** Brian Smith, Steve Gendreau, Karen Chitambar, Brad Shattuck.

**Others:** Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #22A in the amount of \$25,299.03 and #22B in the amount of \$7,343,277.47 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of October 18, 2021, with Brian seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**Sheriff's Department - Contract** – The Board reviewed the budget status and they were concerned that the Sheriff's Dept is going to be over budget. It was felt that hours should be limited to keep the amount over budget to a minimum. Brian moved to limit the Sheriff's Dept to 80 hours per month for November and December, seconded by Steve. Ayes – Brian, Steve, Brad. Nays – Karen. The motion passed.

**Cargill – Sign Salt Contract** – Steve moved to approve the Salt Contract, seconded by Karen. Unanimous.

**Review & Sign Appropriations – Orleans/Essex VNA & Hospice Inc** – Orleans/Essex VNA & Hospice is requesting an appropriation of \$13,600 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Derby's Appropriations Policy allows the Board to add requested appropriations to the Warning without signatures if they are requesting the same amount as the prior year. The Board agreed to add the appropriation to the 2022 Warning.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending for their meeting next Monday and the PC will continue working on amendments to the subdivision regulations. **Permits:** There have been 110 permits submitted year to date. **Storm Damage – FEMA:** The damage was broken up into 3 projects (141488, 141639 & 141797). They finally sent a grant agreement for one of the projects (141639) so maybe we will get reimbursed for that soon (\$37k – FEMA share). I think FEMA has completed their review for another one of the projects (141488) because I just received notice I could sign off on the damage description/scope/cost. The Dumas Rd culvert (141797) is still going through their review. Total reimbursements from all projects will be approximately \$250k – FEMA and \$25k – State and the Towns cost was \$60k. **Grants:** N Derby Rd FLAP Grant – Reimbursement request has been submitted for almost all of the cost. There should be one final invoice coming in from GPI which we will have to send in for reimbursement and then hopefully close out the FLAP Grant. **Poulin Land:** Bartley & Labarron have not responded yet. I asked them to respond by Nov 15<sup>th</sup>. If they don't want the lots the neighbors will buy them. All the others want to purchase the lots. **Route 5 Town Land:** The VT Fish & Wildlife and Memphremagog Watershed Association want to walk the land with us and discuss some of the things they came across during a stream assessment this summer.

**OLD BUSINESS:**

**Legislative Update** – None.

**ROAD REPORT:**

The whips are up. 6 beaver were removed along Hayward Rd. The new truck is not expected in until December or January.

**OTHER BUSINESS: None.**

**EXECUTIVE SESSION:**

**Legal Issue** – At 7:02 Brian moved to go into Executive Session for possible litigation issue, seconded by Steve. Unanimous.

Out of Executive Session at 7:07. No action taken.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, November 15, 2021. Brian made a motion to adjourn the meeting at 7:07 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT**  
**SELECT BOARD MEETING**  
**Minutes**  
**November 15, 2021**

**Present:** Brian Smith, Steve Gendreau, Karen Chitambar, Grant Spates.

**Others:** Elijah Capron, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #23A in the amount of \$20,343.66 and #23B in the amount of \$135,281.36 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of November 1, 2021, with Brian seconding. Unanimous.

**PUBLIC COMMENTS:**

Someone called Brian asking about buying the Derby Line Ambulance building. It was thought that the Town would have to request the IRS and State give the building to the Town. Bob was asked to check with VLCT to find out what needs to be done.

**NEW BUSINESS:**

**Dog Park Committee Appointment** – Ann Edwards, Derek Edwards and Carol Piper have resigned from the Committee. Ann & Derek are moving out of state. Rick Geisel would like to be appointed to the Committee. Brian move to appoint Rick Geisel to the Dog Park Committee, seconded by Karen. Unanimous.

**NVDA Discussion** – NVDA is proposing to raise the per capita appropriation for towns from \$0.75 to \$1.00 and is asking for the Town's input. This would increase Derby's appropriation from \$3,466 to \$4,579. The Board recognized the value of the services NVDA provides and they were in support of the proposed increase.

**Review & Sign Appropriations – Dailey Memorial Library & Haskell Free Library** – Dailey Memorial Library is requesting an appropriation of \$40,000 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Haskell Free Library is requesting an appropriation of \$12,000 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Derby's Appropriations Policy allows the Board to add requested appropriations to the Warning without signatures if they are requesting the same amount as the prior year. The Board agreed to add the appropriations to the 2022 Warning.

**Review & Sign Balance Sheet, Budget Status Report, Delinquent Tax Report, and General Journal** – All were reviewed and signed.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending for their meeting next Monday and the PC will continue working on amendments to the subdivision regulations. **Permits:** There have been 114 permits submitted year to date. **Storm Damage – FEMA:** We have received \$37k from FEMA for project 141639. We are waiting on FEMA for the other projects. Total reimbursements from all projects will be approximately \$250k – FEMA and \$25k – State and the Towns cost was \$60k. **Grants:** N Derby Rd FLAP Grant – Still waiting on the last invoice from GPI to send in the closeout paperwork. **Poulin Land:** The only property owner I have not heard from is Travis Bartley. All the others want to purchase the lots. Monticello/Best is willing to purchase the lot behind Bartley, but need the Town to get Bartley to move his stuff off the property. **Route 5 Town Land:** Steve & Brian can meet with the State and Memphremagog Watershed Association around noon Tuesday – Thursday this week or next week. Bob with coordinate the meeting. **State House Redistricting Proposal:** Brian asked about the Redistricting the State is proposing. The Board was wondering why the Town was not notified about the proposed changes. Brian discovered that the last day for comments was at the close of business today. Derby is proposed as a separate district with 1 Representative, whereas

before it was Derby, Holland, Morgan, Charleston, and Brownington as one district with 2 Representatives.

### **OLD BUSINESS:**

**Legislative Update** – None.

### **ROAD REPORT:**

There is an ongoing problem with beavers building a dam at the new bridge on Eagle Point. 2 more beaver were trapped last week. The Town's pickup truck's door is rusted and needs to be replaced.

### **OTHER BUSINESS:**

#### **ARPA Funds:**

Bob was asked to check to see if ARPA funds can be used for the extra hours the Sheriff's Dept has needed due to COVID.

#### **Health Issue:**

Health Officer, Elijah Capron explained a problem with a pile of trash on the Thwaite property on Nelson Hill Road. The owner says it is the tenant causing the problem and has been notified that it is the owner's responsibility to get rid of the trash. A health order and zoning violation will be issued to hopefully resolve the issue.

### **EXECUTIVE SESSION:**

**Legal Issue** – At 7:07 Brian moved to go into Executive Session for personnel issue, seconded by Steve. Unanimous.

Out of Executive Session at 7:14. No action taken.

### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, November 29, 2021. Brian made a motion to adjourn the meeting at 7:14 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
November 29, 2021**

**Present:** Brian Smith, Steve Gendreau, Karen Chitambar, Grant Spates, Brad Shattuck.

**Others:** Luke Vidic, Jennifer Harlow, Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #24A in the amount of \$22,714.73 and #24B in the amount of \$42,710.67 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of November 15, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Sheriff Harlow/Lt Munson – Hours & Budget** – Sheriff Harlow apologized that Lt Munson could not attend tonight's meeting. She went over this year's statistics and her proposal for next year. The cost per hour will remain the same at \$55.12/hr. She is asking to increase patrol hours from 29 hrs to 60 hrs per week. She would like to be more proactive rather than reactive. Dispatching through Newport PD is working out very well. She asked that if the Board has any questions or concerns let her know.

**Newport Ambulance Service Budget** –The Town's cost would be \$151,748 for 2022 compared to last year at \$144,562. This is approximately a 5% increase. Everything has been going smoothly since Newport Ambulance Service has been hired. Brian move to approve budgeting \$151,748 for Newport Ambulance Service, seconded by Karen. Unanimous

**Review & Sign Appropriations – NEK Council on Aging, Umbrella & Orleans County Citizens Advocacy** – NEK Council on Aging is requesting an appropriation of \$3,300 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Umbrella is requesting an appropriation of \$6,150 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Orleans County Citizens Advocacy is requesting an appropriation of \$2,000 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Derby's Appropriations Policy allows the Board to add requested appropriations to the Warning without signatures if they are requesting the same amount as the prior year. Karen moved to add these appropriations to the 2022 Warning, seconded by Brad. Unanimous.

**Recycling Attendant** – Joe Noble has found another recycling attendant, Hayden Cote. He has known him for years and thinks he will be a good addition to the crew. Hayden is only 14 years old so he can only work 3 hours on school days. Karen move to hire Hayden Cote as a recycling attendant at the same rate of pay as the other attendants, seconded by Brad. Unanimous.

**TA & ZA Update – DRB/PC:** The DRB has no permits pending for their meeting next Monday and the PC will continue working on amendments to the subdivision regulations. **Permits:** There have been 115 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report. We are waiting on FEMA for the other projects. **Grants:** N Derby Rd FLAP Grant – Still waiting on the last invoice from GPI to send in the closeout paperwork. GPI just received final documentation from VTrans for the fabrication reports from Carrara for the slabs. **VOREC Grant** – Kids Pond & Bike Path across Interstate – Peggy Day Gibson submitted the grant application today. **Route 5 Town Land:** Brian, Steve and Bob met with the State and Memphremagog Watershed Association to walk the land. The State is interested in improving the Johns River for better fish habitat and is interested in the land. **Recycling Attendant:** Bob brought up that the recycling attendants have been working for the Town for a few years now

and are only being paid a few cents over minimum wage. The Board will discuss this during budgeting for next year.

### **OLD BUSINESS:**

**Legislative Update** – None.

### **ROAD REPORT:**

Another 100 tons of salt has been delivered. Still no word on when the new truck will be in.

### **OTHER BUSINESS:**

**Skate Rink:** It was discussed using plastic under the ice. The Board will discuss it with Jordan Benjamin in January to consider it for next year.

**Graffiti on Salt Shed:** Someone has defaced the salt shed. It was probably done last Friday night. The road crew will remove it as soon as the weather allows. The recycling cameras will be checked to see if they picked up anything.

### **EXECUTIVE SESSION:**

**Personnel Issue** – At 7:04 Steve moved to go into Executive Session for personnel issue, seconded by Brad. Unanimous.

Out of Executive Session at 7:18. Road Foreman Rod Lyon has decided to retire and has submitted a letter of resignation; his last day will be December 31, 2021. Steve moved to accept Rod Lyon's letter of resignation with regrets, seconded by Brian. Unanimous.

The Board decided to advertise for the Road Foreman position and also for a Road Crew position.

### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:00 p.m. Monday, December 13, 2021. Brian made a motion to adjourn the meeting at 7:24 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*

**TOWN OF DERBY, VERMONT  
SELECT BOARD MEETING**

**Minutes  
December 13, 2021**

**Present:** Brian Smith, Steve Gendreau, Karen Chitambar, Grant Spates, Brad Shattuck.

**Others:** Luke Vidic (remotely), Joe Profera, Bob Kelley.

**MEETING CALLED TO ORDER - 6:00 P.M.**

Warrants #25A in the amount of \$18,311.35 and #25B in the amount of \$119,340.89 were signed.

**APPROVE MINUTES:**

Steve moved to approve the minutes of November 29, 2021, with Brad seconding. Unanimous.

**PUBLIC COMMENTS: None.**

**NEW BUSINESS:**

**Thwaite Violations** – The Thwaite's had a large pile trash in front of their duplex. They were issued a health violation and a zoning violation. The trash has been cleaned up.

**Review & Sign Re-Certification for Derby Recycling** – After reviewing, Brian moved to have Grant sign on behalf of the Board, seconded by Brad. Unanimous

**Review & Sign Appropriations – Pope Memorial Frontier Animal Shelter & Salem Lake Preservation Association** – Pope Memorial Frontier Animal Shelter is requesting an appropriation of \$2,000 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Salem Lake Preservation Association is requesting an appropriation of \$15,000 to go on the Warning for 2022 Town Meeting. This is the same as requested and approved in 2021. Derby's Appropriations Policy allows the Board to add requested appropriations to the Warning without signatures if they are requesting the same amount as the prior year. Brian moved to add these appropriations to the 2022 Warning, seconded by Steve. Unanimous.

**Review & Sign – Balance Sheet, Budget Status Report, Delinquent Tax Report & General Journal Report** – All were reviewed and signed.

**TA & ZA Update – DRB/PC:** The DRB has one permit pending for their meeting next Monday and the PC is done with the Subdivision regulations and is waiting for NVDA to review it before starting the amendment process. The PC has started review of the Planned Residential Development sections and will continue working on this section at their next meeting. **Permits:** There have been 116 permits submitted year to date. **Storm Damage – FEMA:** Nothing new to report. We are waiting on FEMA for the other projects. **Grants:** N Derby Rd FLAP Grant – Still waiting on the last invoice from GPI to send in the closeout paperwork. Better Roads Grant – Application is due on Friday. Rod & I are working on a grant for Ridgehill Drive. Stone lining the ditches, removing grader berms and replacing undersized culverts. **Flag - Veteran's Memorial Park:** The clip holding the flag broke and the flag is stuck at the top. Craig will take care of it.

**OLD BUSINESS:**

**Legislative Update** – The legislature will be discussing ARPA funds tomorrow. The State approached Brian about buying Derby Green from the hospital for an alcohol recovery program and is wondering what the Town thinks of the idea. There are 23 beds and it would be open to anyone in the state. The Board agreed this type of service is needed. Brian will look into it more.

**ROAD REPORT:**



The new truck came in today and is headed to get the plow, etc... installed. The Town will hold onto the old truck until we get the new one. Steve would like to talk to Derby Line about trading different services. He thinks there are areas where the Town and Village can work together more efficiently. Steve will look into this more and set up a meeting with the Trustees.

**OTHER BUSINESS:**

**Veteran's Memorial Park** – The leaves need to be cleaned up.

**NVDA Dues** – A letter from NVDA has Derby's 2022 annual dues at \$3,466.00 which is the same as last year. Brian moved to approve NVDA 2022 Dues of \$3,466.00, seconded by Karen. Unanimous.

**VLCT** – VLCT is refunding excess money to member communities.

**EXECUTIVE SESSION:**

**Personnel Issue** – At 6:36 Brian moved to go into Executive Session to interview and review Road Foreman candidates, seconded by Brad. Unanimous.

Out of Executive Session at 7:54. Steve and Bob will meet with the top candidate to discuss the compensation package. Brian moved to grant Steve the authority to hire a Road Foreman, seconded by Brad.

**ADJOURNMENT:**

There will be no meeting on December 27<sup>th</sup>. The next regular meeting is scheduled for 6:00 p.m. Monday, January 10, 2022. The annual budget meeting will be January 8, 2022. Brian made a motion to adjourn the meeting at 7:55 p.m., with Steve seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*